

ADMINISTRATION OF THE GOVERNMENT OF THE STATE .....	762, 762
ALBURY ELECTORATE AMBULANCE COMMUNITY FIRST RESPONDER UNITS .....	760
ASSENT TO BILLS .....	762
AUSTRALIAN VIETNAMESE COMMUNITY .....	759
BUSINESS OF THE HOUSE .....	748, 762, 776, 779
CANCER COUNCIL AUSTRALIA'S BIGGEST MORNING TEA .....	748
CBD AND SOUTH EAST LIGHT RAIL PROJECT .....	757, 762, 768, 770, 773
CENTENARY OF FIRST WORLD WAR .....	761
COAL SEAM GAS .....	812
CONSIDERATION OF MOTIONS TO BE ACCORDED PRIORITY .....	781
COOTAMUNDRA ELECTORATE DIALYSIS SERVICES .....	758
CROSS CITY TUNNEL .....	766
ELECTRICITY NETWORK ASSETS (AUTHORISED TRANSACTIONS) BILL 2015 .....	777
ELECTRICITY RETAINED INTEREST CORPORATIONS BILL 2015 .....	777
FAIRFAX ILLAWARRA AND SOUTH COAST NEWSPAPERS .....	753
FOREST AGREEMENTS AND INTEGRATED FORESTRY OPERATIONS APPROVALS .....	775
HEALTH SERVICES .....	771
INDEPENDENT PRICING AND REGULATORY TRIBUNAL AMENDMENT (ACCREDITED STATE WATER REGULATOR) BILL 2015 .....	800
KOGARAH DEVELOPMENT CONTROL PLAN .....	754
LIFELINE MACARTHUR .....	756
MARRICKVILLE REMEMBERS 2015 .....	811
MOUNT DRUITT HOSPITAL .....	751
NORTHERN RIVERS PUBLIC TRANSPORT .....	752
PACIFIC HILLS CHRISTIAN SCHOOL HAIRSPRAY MUSICAL .....	755
PARLIAMENTARY ETHICS ADVISER .....	775
PARRAMATTA SCHOOLS DEVELOPMENTS .....	774
PAYROLL TAX REBATE SCHEME (JOBS ACTION PLAN) AMENDMENT (EXTENSION) BILL 2015 .....	800
PETITIONS .....	775
PRISON POPULATION .....	814
PRIVATE MEMBERS' STATEMENTS .....	748, 811
PUBLIC ACCOUNTS COMMITTEE .....	775
PUBLIC HEALTH (TOBACCO) AMENDMENT (E-CIGARETTES) BILL 2015 .....	788
QUESTION TIME .....	762
RANDWICK DISTRICT RUGBY UNION FOOTBALL CLUB HEADSAFE PROGRAM .....	757
REBUILDING NSW .....	767, 769
REPRESENTATION OF MINISTERS ABSENT DURING QUESTIONS .....	762
ROTARY PENRITH POLICE OFFICER OF THE YEAR .....	813
STATE INFRASTRUCTURE .....	763, 783
TAMWORTH SALVATION ARMY RED SHIELD APPEAL .....	749
THIRROUL MEN'S SHED .....	814
TRIBUTE TO DR ROBERT KIRKBY .....	752
VISITORS .....	761
VIVID SYDNEY AT CHATSWOOD .....	750
WALLSEND POLICE STATION .....	749



# LEGISLATIVE ASSEMBLY

Tuesday 26 May 2015

---

**The Speaker (The Hon. Shelley Elizabeth Hancock)** took the chair at 12 noon.

**The Speaker** read the Prayer and acknowledgement of country.

## BUSINESS OF THE HOUSE

### Notices of Motions

**General Business Notices of Motions (General Notices) given.**

*[During the giving of notices of motions.]*

**The SPEAKER:** Order! The member for Kiama will come to order. This is not the time to have the argument that he usually has with the member for Shellharbour. I call the member for Kiama to order for the first time. I have asked the member to come to order.

*[Further during the giving of notices of motions.]*

**The SPEAKER:** Order! The General Business (Notices of Motions) procedure is unlike the procedure applied to community recognition statements in that I do not alternate between members on each side of the Chamber. Members must seek the call during the giving of notices of motions. Members should not think that I am ignoring the normal procedure. It was a dead heat between members, and the member for Blue Mountains got the jump. Members should confine themselves to the near benches so that I can see them. I give the call to whoever rises first.

*[Further during the giving of notices of motions.]*

**The SPEAKER:** Order! The time for the giving of notices of motions has expired. I am sorry that the member for Swansea missed out. I will again look at the length of some motions and reconsider whether enough time is being provided.

**Pursuant to sessional order private members' statements proceeded with.**

## PRIVATE MEMBERS' STATEMENTS

---

### CANCER COUNCIL AUSTRALIA'S BIGGEST MORNING TEA

**Mr LEE EVANS** (Heathcote) [12.13 p.m.]: On 19 May 2015 it gave me great pleasure to host a Cancer Council Australia's Biggest Morning Tea event. Cancer Council statistics show that one out of every two people will be affected by cancer throughout their lifetime up to the age of 85. Just think about that for one moment. It is a frightening statistic. I have had a brush with the little known and little diagnosed male breast cancer. My experience spurs me on to make my community aware of the importance of knowing your own body and the lumps and bumps contained within. If I had not pressed the panic button my life would have taken a completely different pathway.

As part of the Healthy Heathcote program in my electorate I endeavour to make people aware of their responsibility to take the initiative and seek medical help if they feel that something is not quite right. Often it is not doctors who diagnose these things; it is people's loved ones and themselves. People should not depend on their doctor to diagnose cancer. They should be proactive—get that bowel scan, book in to get a prostate check, go for that breast screening and have that Pap smear they have been avoiding. The person they save might just be themselves.

I thank Carl Piraino, Andrew Castle, Rhonda and Anthea from Essential Community Services at Engadine for their assistance in staging the Biggest Morning Tea. The fine stewardship by Michael Towns and Emma White from the Cancer Council ensured the day was a success. It is my pleasure to support this vital charity. Those who have needed the assistance of the Cancer Council understand how important the volunteers' knowledge and friendship is when people need it most. They swing into action when people are diagnosed with a cancer and help the patient navigate the myriad emotions and issues that present themselves.

Homemade cupcakes and Arnott's biscuits were plentiful at the event for the attendees from Moran Group at Engadine and many other members of my community who have been touched by cancer in some way. I acknowledge the support of Colleen Bowen, Melisa Ciano, Greg Anderson and Denyse Elliott from 2233 Realty. I implore everyone in this place to encourage their friends, family and loved ones to get their checks on a regular basis so we can head off the scourge of cancer.

### **WALLSEND POLICE STATION**

**Ms SONIA HORNER** (Wallsend) [12.16 p.m.]: For many years the Wallsend Football Club has been a feature of my community. Early one morning several weeks ago, in the wake of a spate of break-ins and vandalism, I visited the club to offer my support. Vagrants had camped out near the clubhouse and left dangerous debris in the park, and motorcyclists had ripped up the lovely turf. The items found at the ground read like the set dressing list of a gritty American movie. We saw ice pipes, bongos, knives, needles and dirty mattresses. Club Secretary Kim Lockwood said:

It is so hard for sporting clubs to keep afloat as it is, without this type of damaging behaviour. We are run by volunteers who work so hard for our kids and this just creates a massive impact on our ability to keep going

The ills besetting Wallsend Football Club are merely symptoms of a larger ongoing issue—namely, the lack of a strong police presence in Wallsend and the western suburbs of Newcastle. For many years I have advocated in Parliament and locally for a new police station in the Wallsend area. Local resident and tireless community campaigner Margaret Bennett has said:

It is a matter of safety ... residents and businesses in Wallsend need a police station to help keep them safe.

We know that our police officers do the best they can with limited resources. We also know, as a commentator noted, that they cannot be everywhere at the same time. Last year I reported that police numbers in the Newcastle City Command had decreased from the previous year. In the Hunter we have continually missed out on additional resources and recruits. It is up to the Baird Government and ministry to ensure they protect our community by providing more resources and police in the Wallsend area. Many in the Chamber will remember the petition I tabled last year calling for the building of a new police station in Wallsend.

Despite the overwhelmingly positive response from our community and the more than 14,000 signatures of Wallsend residents, the Government has ignored the petition. Indeed, I am sad to say that it has reneged on a promise made by the shadow Minister for Police and shadow Minister for the Hunter at the time, the Hon. Mike Gallacher, who when referring to Glendale said, " ... a super police station at Lake Macquarie is long overdue." He went on to say that "... the proposed police hub at Glendale is crucial given the expected population growth in the region". The Keneally Government allocated \$12.82 million to the project, and the O'Farrell Government contributed a further \$3.82 million, but then backtracked on its promise so there were some changes.

The establishment of new regional headquarters at Glendale was on the Labor Government's agenda, with an allocation of \$12.8 million for the project. Despite this, there is no police station in Wallsend. The lack of a police presence in the Wallsend area has created an environment in which people do not feel safe or looked after. Wallsend residents have had trouble with response times, too. Last year, a constituent contacted me to complain that it took three hours for an officer to visit from the Waratah command after the constituent was assaulted in the car park of Stockland Jesmond, which is located only a few kilometres from Waratah. This illustrates that we need a greater police presence in Wallsend. I also wish to show my support for the people of the Wallsend Football Club.

### **TAMWORTH SALVATION ARMY RED SHIELD APPEAL**

**Mr KEVIN ANDERSON** (Tamworth) [12.20 p.m.]: This weekend I will be throwing my support behind the Tamworth Salvation Army Red Shield Appeal. We thank God for the Salvos. They save thousands of families

every day, every week, and we could not do without them. The Salvation Army does an enormous amount of work that goes unnoticed in our community, and to do that work they need resources. It is again that time of the year when we knuckle down and conduct the fundraising efforts needed to sustain the Salvation Army so they can continue to give to our communities. The Salvation Army Red Shield Appeal is celebrating a milestone, its fiftieth year. The funds raised are for families struggling with cost-of-living pressures—for electricity, clothing, rent or money for food—or those just needing a helping hand. The Salvation Army has been there for these people for so many years. The theme of this year's appeal is "Because no one should have to go it alone".

I had the pleasure of speaking at the business breakfast launch of the 2015 Red Shield Appeal on Wednesday 20 May, supported by the Rotary Club of Tamworth First Light. I sincerely thank the club for the opportunity to speak about why we need to get behind the Salvos. We need to support the Salvos because the fundraising dollar is becoming increasingly difficult to obtain. Many organisations in our community have professional teams of fundraisers. These teams are all trying to get a slice of the decreasing fundraising pie. The Salvation Army does a magnificent job, so we need to get behind it. I encourage everyone in our community to get behind the Salvos and help them to help struggling locals, who live not only in our towns and villages but also on our farms, because no-one should have to go it alone. The rural chaplain covers many kilometres doing his great work to provide support and assistance to those who quite often work alone on farms. Many of them are depended on by wives, families, parents and carers, which can add to their difficulties.

One thing that moved me at the launch supported by the Rotary Club of Tamworth First Light was the story of young Nathan, who is in his late teens now. He had spent some time in and out of correctional facilities and openly admitted that he had been on the wrong side of the tracks. He kept trying to reach out to do the right thing and get back to being a worthwhile member of our community. The Salvation Army reached out, took his hand and gave him the chance. He was an alcoholic who is now recovered and he intends to stay that way. With his partner, he is looking at options on how to continue to make a worthwhile contribution to our community and pursue his goals, his hopes and his dreams. This new life was not an option for him when he was under the influence of alcohol and in a dark and lonely space. Thank God for the Salvos for helping Nathan. He is just one case among the many thousands they help across this great nation.

The Red Shield Appeal happens every year because hope is not part of everybody's story and the Salvos are passionate about changing that. I encourage everyone to get behind the Salvation Army. In the Tamworth electorate I support Major David Rogerson and his lovely wife, Cath. I also support the other divisions in the north-west, including Hope House in Gunnedah, and the many members of the Salvation Army who do a magnificent job. Let us get behind them; let us support them; let us get the Red Shield Appeal on track and start raising the much-needed funds for the Salvation Army.

### **VIVID SYDNEY AT CHATSWOOD**

**Mr JONATHAN O'DEA** (Davidson—Parliamentary Secretary) [12.25 p.m.]: Following the recent boundary redistribution, my electorate of Davidson now includes part of Willoughby Council. I was pleased last night to have dinner with most of the councillors and senior council staff. We have great lines of communication for building for the future in the local community. Vivid Sydney is visiting Willoughby Council and Chatswood this year and will have a dramatic and lasting impact. The Vivid Chatswood festival begins at the Chatswood Interchange with an aquatic wonderland full of jellyfish chandeliers before winding its way along a river of light to Chatswood Mall. It then proceeds to The Concourse Chatswood, finishing at Chatswood Chase, where people can meet Lieutenant Angler, who appears as a handcrafted light sculpture surrounded by bubbles, and patrols the Chatswood precinct of Vivid Sydney. Vivid is exciting, family friendly and new to Chatswood. Its spectacular light installations and projections have continued to attract increasing crowds to the Sydney central business district since 2009, but 2015 marks the first time Vivid is also in Chatswood.

Vivid began as a smart-light festival to promote energy efficiency and has now become the largest festival of its kind in the Southern Hemisphere. Vivid attracted over 1.4 million visitors to Sydney last year. They included 19,500 international visitors who travelled on Vivid Sydney travel packages, up 74 per cent from the year before, and so far this year the festival is proving to be a big success. The festival continues to invite a vast assortment of local and international artists to display inventive collections of outdoor lighting concepts. It also attracts more than 550 speakers to more than 180 creative industry events for Vivid Ideas, and more than 50 musical events at the Sydney Opera House, Carriageworks, the Seymour Centre and the Basement. Vivid is popular with everyone—locals, young people, families, the elderly, domestic visitors, international tourists and business travellers. It is also popular with local retailers who benefit enormously from the increased trade, including at Chatswood.

Vivid Sydney continues to expand its venue locations and now includes the Sydney Opera House, Walsh Bay, Circular Quay, The Rocks, North Sydney, Martin Place, Darling Harbour, the University of Sydney, Carriageworks, The Star and Sydney Harbour, with ferries and commercial vessels lit up. Chatswood has now been added to the list. Vivid Sydney has turned Chatswood into a water world, rippling with floating water features and pulsing colours. I have viewed this spectacular family event and consider it to be an exciting addition to Vivid Sydney's venues and to the success of Vivid Sydney overall.

Last Friday I attended the opening of Vivid Sydney at the Museum of Contemporary Art where I listened to the great speeches of Destination NSW's Sandra Chipchase and our own Minister for Trade, Tourism and Major Events, and Minister for Sport, Stuart Ayres, who switched on the magnificent lights in front of a good-sized crowd. I commend them and all those who have been involved in staging this successful festival for the entertainment of Sydneysiders, tourists, students, families, businesspeople and domestic travellers. I look forward to the continuing success of the Chatswood venue and Vivid overall. I urge everyone to attend the 18 day Vivid Light, Music and Ideas Festival before it concludes on 8 June.

### **MOUNT DRUITT HOSPITAL**

**Mr EDMOND ATALLA** (Mount Druitt) [12.30 p.m.]: In my first private member's statement I will speak about the loss of services at Mount Druitt Hospital. Over the past four years the New South Wales Liberal Government has been progressively downgrading services at Mount Druitt Hospital. The cardiac ward has closed, resulting in a reduction in the number of beds available. Patients' lives are potentially being put at risk as people are forced to travel up to a further 20 minutes to receive vital medical treatment.

During the recent election campaign, I witnessed an incident where The Greens candidate collapsed at the Mount Druitt pre-poll site, having suffered what was thought to be a stroke or heart attack. A call to the 000 emergency number resulted in an ambulance arriving 22 minutes later. It had been dispatched from Nepean Hospital and returned with the patient to Nepean Hospital a further 20 minutes later. Mount Druitt Hospital was only a stone's throw away but did not have the appropriate resources. I am now advised of the imminent loss of six registered nurses from the surgical ward; that is in addition to services being cut.

I call on the Baird Liberal Government to restore services to Mount Druitt Hospital and to guarantee that the Government will not close the surgical ward. The New South Wales Minister for Health should come clean about the future plans for Mount Druitt Hospital. It is clearly evident that the New South Wales Liberal Government does not care about my electorate or its people as it puts budget cuts ahead of people's health. Mount Druitt Hospital has been neglected and the people who use it are being treated as second-class citizens by this Government. The hospital's funding allocation of \$40.42 million, which was announced during the election campaign, represents just 5.5 per cent of the total \$722 million allocated to the combined Blacktown-Mount Druitt model over two stages.

It is absolutely disgraceful and an insult to the Mount Druitt community to be receiving a small handful of crumbs at a time when the north-west residential area is expanding. Services at Mount Druitt Hospital should be expanding to cater for the growth in the area. The idea of the two-campus model is nothing more than a funding cut to vital health services which are desperately required by my electorate. Mount Druitt Hospital, which was once a fully functional hospital and the envy of all hospitals around the State, is now becoming pretty much a rehabilitation centre for Blacktown. This hospital health service has been renamed Blacktown Mount Druitt Hospital in a strategic move to reduce the importance of Mount Druitt Hospital as a stand-alone hospital.

The ongoing reduction in medical services indicates to me that the New South Wales Liberals plan to close Mount Druitt Hospital. The loss of the registered nurses will lead to the closure of the surgical ward and will put additional pressure on Blacktown Hospital, which already is struggling to cope. According to a 2012 Federal Government report, 10 per cent of patients attending at Blacktown Hospital waited longer than 27 hours for admission. It was ranked the nation's second worst hospital. Redirecting emergency cases from Mount Druitt Hospital will cause Blacktown Hospital to burst at the seams.

A recent report published in the *Sydney Morning Herald* revealed that overcrowding and waiting times in the emergency room at Mount Druitt Hospital are some of the worst in the nation, with less than 60 per cent of patients being treated within four hours. That is completely unacceptable. The further loss of resources will worsen the situation. Enough is enough. It is time for my electorate to receive funding for the much-needed health services and facilities it deserves. Patients' lives are being put at risk on a daily basis because of the lack of facilities and staff shortages. This needs to stop immediately. It is time for the Minister for Health to rule out any further loss of services at Mount Druitt Hospital and to commit to restoring services to the hospital.

### TRIBUTE TO DR ROBERT KIRKBY

**Mr TROY GRANT** (Dubbo—Deputy Premier, Minister for Justice and Police, Minister for the Arts, and Minister for Racing) [12.34 p.m.]: I congratulate Dr Robert Kirkby of Narromine on receiving the Government of New South Wales Community Service Award. Dr Kirkby recently clocked up 46 years in practice as a general practitioner and surgeon, proudly and professionally serving the people of Narromine. He attended the University of Sydney from 1960 to 1966 and from 1966 to 1968 he studied medicine, surgery, orthopaedics, obstetrics, anaesthetics, gynaecology and paediatrics at Concord and Canterbury hospitals, the Royal Hospital for Women and Camperdown Children's Hospital.

From 1969 to date Dr Kirkby has held a private practice in Narromine and over that entire period has been the visiting medical officer at Narromine District Public Hospital. He has been a clinical associate of the discipline of general practice and a teacher of many medical students attached to the Sydney and New South Wales universities. Since 1997 he also has been a mentor for the John Flynn Scholarship Scheme. This program is an important part of the strategy to attract more doctors to rural and remote communities.

Dr Kirkby married Joy, who was a nurse from Wellington, and they have four children and six grandchildren. Both Dr Kirkby and his wife are heavily involved in the Narromine community and have been on various committees, such as cancer support groups, the Royal Society for the Blind, Royal Far West, the local Narromine race club and the local aged care facility, Timbrebongie House. Dr Kirkby has a passion for horseracing. He was president of the race club for many years and is still a member of the committee. Just quietly, he is very excited about my appointment as the Minister for Racing. He has had several good horses that have won races around the district and three of them went on to win races in Sydney.

Dr Kirkby is a keen local farmer in addition to his work in the medical field. He started off growing pigs and now grazes sheep and sows, together with growing the odd lucerne, wheat and oat crop. Until 1992 Dr Kirkby had a very busy theatre list at the Narromine hospital performing tonsillectomies, appendectomies and caesareans and only ceased delivering babies at the hospital in 1999. In 2006, in conjunction with Narromine Shire Council, Dr Kirkby's practice built a new, modern, purpose-built medical centre, complete with consulting and treatment rooms, a nurses' station, dentist rooms and a room for pathology—a significant investment in the Narromine community.

Dr Kirkby is a man who is passionate about his community. He also is passionate about attracting doctors to serve in rural and remote communities and has achieved much in that area. He is a widely respected doctor and citizen of Narromine of whom we are all enormously proud. We are appreciative of his long service and dedication to the Narromine community. On behalf of the New South Wales Government, the Dubbo electorate and the Narromine community, I congratulate Dr Kirkby on receiving this well-deserved and long overdue award.

### NORTHERN RIVERS PUBLIC TRANSPORT

**Ms TAMARA SMITH** (Ballina) [12.37 p.m.]: Today I will speak about the issue of public transport in the Northern Rivers area. In a few days the Government will take the next step in deciding the future of the rail corridor from Casino to Murwillumbah. It is clear the Government's preference is to rip up the existing rail line and effectively privatise the corridor for a rail trail. The effect of that decision will be to permanently shut off the ability to use this corridor, which links many of our region's major centres and important tourism locations, for passenger rail services. The Government's Northern Rivers Regional Transport Plan, which was completed in 2013, identifies the growing need for and many of the issues associated with transport in the Northern Rivers area. However, it lacks strategic thinking and the allocation of resources in order to connect our towns and villages, employment centres and tourist attractions. It identifies the need to improve public transport but fails to map out how to do this in a way that can deliver real results for our region.

Recently I was reminded of the importance of access to quality public transport. Last week one of my staff caught the bus from Ballina and struck up a conversation with a young bloke, Dave—that is not his real name—who had just been to visit his aunt in Lismore Base Hospital. It is approximately 45 kilometres to Lismore from where Dave lives. About eight years ago Dave had an accident, which left him with a brain injury and epilepsy. He had to stop working as a chef because of the epilepsy.

Dave is also no longer able to drive, which means he is reliant on friends or public transport. In my electorate of Ballina, public transport is limited to private bus services. Dave was visiting his aunt because she

needed him to run some errands while she was waiting for surgery. Dave had to travel by bus from Byron Bay via Ballina, then on to Lismore on a different bus run by a different operator, and then had to return the same way. The whole trip took 10 hours—almost the entire day.

Despite the challenges, Dave was grateful for the \$2.50 day pass available to disability pensioners and was very complimentary of the local bus service and local drivers, who clearly knew him well. While \$2.50 is a small price for Dave to pay, the cost to our community of what is clearly a broken transport system in the Northern Rivers area is significant. Dave's situation is a result of the lack of strategic planning and investment in public transport in our region over many years. With people's reliance on private vehicles and the failure to put in place public transport that can also support tourists, our region's local roads have become clogged, and this has generated a significant impediment to local businesses and residents. Access to education, training and employment is a challenge for local residents and access to available employees is a challenge for local businesses.

The expression of interest documentation for the rail corridor refers to proposed projects that involve walking, cycling and riding tracks, which would involve the removal of the rail infrastructure, or other recreational uses of the rail lines. There is no mention of the use of the rail line for commuter or public transport services despite many local people wanting just that. The existing corridor runs from Byron Bay to major tourism sites and towns. From a tourism perspective, restoring a rail service makes significant economic sense for our region; it would provide transport for visitors and for local people travelling to jobs. The Greens do not oppose a tourist bike trail running alongside the rail corridor, given the new opportunities for tourism and recreation that a multimodal rail corridor would bring. To rip up an important piece of community infrastructure, particularly when there is no real plan to invest in a public transport strategy for the next 50 years in our region, is a retrograde step.

#### FAIRFAX ILLAWARRA AND SOUTH COAST NEWSPAPERS

**Mr GARETH WARD** (Kiama—Parliamentary Secretary) [12.41 p.m.]: Henry Anatole Grunwald once said:

Journalism can never be silent: that is its greatest virtue and its greatest fault. It must speak, and speak immediately, while the echoes of wonder, the claims of triumph and the signs of horror are still in the air.

For the communities of the Illawarra and South Coast, this immediacy, this virtue and occasional fault, is under serious threat. On Saturday 23 May, I lined up at a rally with people from across the political divide. I lined up with Labor, Independent and fellow Liberal politicians to make a clear statement that proposed cuts to Fairfax staff have no support in any quarter of our region. The Illawarra and South Coast is a diverse place, and I cannot underscore how unusual an occasion it was to unite the region's leaders in such an emphatic, unequivocal and strident condemnation of a decision that will hurt not only Fairfax employees and their families but also the political discourse, communication and discussion in our vibrant and growing region.

Fairfax Media wants to axe more than 50 staff across the Illawarra and South Coast, including 34 editorial staff. The company's proposal, if implemented, would result in the number of editorial staff being more than halved at the *Illawarra Mercury*, the *Wollongong Advertiser*, the *Lake Times* and the *Kiama Independent*, with 45 positions—reporters, photographers, subeditors, artists, content directors—being cut to 20. The plan also would result in the merger of the *Lake Times* and the *Wollongong Advertiser*. The plan to cut eight photographers to 2.5, to reduce the number of sports reporters, in total 21 reporters, to 13, to remove editors' roles at the *Wollongong Advertiser*, the *Lake Times* and the *Kiama Independent*, and to remove all subediting, news directing and artist roles is a plan for failure, not for growth.

These publications have lost more than 40 editorial jobs in two rounds of cutbacks since 2012; they cannot sustain further job losses. By combining the editorial roles of both the *South Coast Register* and the *Milton-Ulladulla Times*, the *South Coast Register* would be reduced from three editions to two. Tragically, the *Shoalhaven and Nowra News*, *Bay Post*, the *Moruya Examiner*, *Narooma News*, *Bega District News*, *Merimbula News*, the *Eden Magnet* and *Bombala Times* are all affected. The massive job cuts threaten to damage the quality of regional journalism and affect the ability of our local press to comprehensively and independently cover news and sport in the Illawarra and on the South Coast. Many of these local newspapers are more than 100 years old. Their dedicated journalists and staff are their greatest assets; they have invested years of service in sustaining these grand journals of record. Jack Welch said:

Management is all about managing in the short term, while developing the plans for the long term.

Should the proposed job cuts proceed, I make it clear that this will be a monumental and conspicuous failure of Fairfax management to deal with a changing media market and to manage for the long term. Management may well be about doing things right, but leadership is about doing the right things. This proposal is vanilla at best; it lacks managerial guile, vision and foresight. Clearly, the demand for media has not changed, but the delivery method has. Even to this day, Fairfax websites do not contain paywalls. Fairfax competitors have had no trouble establishing similar mechanisms to deliver paid online content and conditioning their online readership to accept an online subscription fee. Why has Fairfax management so obviously and myopically missed this golden opportunity to sustain revenue and jobs?

Given this obvious omission in Fairfax's business model, let me be blunt: any job cuts at local Fairfax publications are due to the incompetence of Fairfax management and a lack of leadership to do what all organisations must do—change with the times. These job cuts are not a reflection on Fairfax journalists, photographers and staff. As I said at the rally on Saturday, it is not as if the internet was suddenly thrust upon them. As Parliamentary Secretary for our region I have had many angry brushes with journalists and editors, and I am sure other members have had similar experiences. But these publications should never be the playthings of politicians.

They have an important role to report the news fairly, without bias or political influence. Indeed, it was the *Illawarra Mercury* that exposed corruption inside Wollongong council and donations for deals with the former Labor Government. It was the *South Coast Register* that brought to light serious concerns around public land dealings with former Shoalhaven City Council elected leaders. These publications do not just play a role in our community, they are vital vanguards of a free and confident society. Should this decision proceed, I fear our region's newsprint will begin to fade, the voiceless will lose their podium of last resort and the heart of our community will not beat with the same fervour and purpose. I ask that Fairfax invest in the future of its people, have confidence in its product and rethink this proposal as has been outlined to date.

### **KOGARAH DEVELOPMENT CONTROL PLAN**

**Mr CHRIS MINNS** (Kogarah) [12.46 p.m.]: I inform the House today of a major issue in my electorate, the proposed Kogarah Development Control Plan. The changes to the plan are causing significant consternation within my electorate; they are seen as arbitrary and without context. There is a paucity of information from the council as to why certain areas have been selected for extreme development changes and others have been let off almost scot-free. Kogarah City Council, on its city redevelopment website, insists that the proposal is designed to increase density in areas where "there is existing infrastructure to accommodate the increase in residents".

Local residents are extremely dubious of this claim when the proposal allows for seven-storey, that is 21 metres, high-rise development in residential areas along the Princes Highway that are two kilometres from the closest train station while at the same time has no new development around and directly adjacent to Oatley train station—a station on which the State Government has lavished services, commuter parking and infrastructure since its election. My great fear is that residents who live in Carlton South are being sacrificed with a proposal for inordinately large-scale developments in their area.

There has been a genuine community-spirited rally in opposition to this plan. Locals accept that some development is needed and that St George must have its fair share. However, the New South Wales Government's malicious decision to axe hundreds of services a week from Kogarah train station while at the same time encourage major new developments is particularly galling. This Government has axed 45 per cent of train services in Kogarah—a massive and completely unnecessary reduction in public transport services to a thriving and dependent community.

The Government has conducted a pro forma and patronising community consultation which revealed universal opposition to the plan. The Government has ignored that opposition and continued unabated. Community engagement on these major changes, which will affect residents' land values and quality of life, has not been good enough—a couple of books at the council chamber, a poorly patronised website showing community maps that are difficult to read and, crucially, no community meeting prior to submissions closing. To paraphrase Edmund Burke, elected councillors only owe the people of Kogarah their judgement. Indeed, they do not have to do what the majority would like but, at the very least, they have to listen to what their electors are saying.

It is essential that a public forum is held to explain the changes and to clearly show why development is occurring in some areas and not others; our community is demanding it. The great fear of Kogarah residents is

that the proposed changes will exacerbate the already chronic parking problems within the Kogarah central business district. The local chamber of commerce has reported to me that business is steadily dropping from the Kogarah High Street as locals—who want to spend their money in the local shopping precinct—are forced to go elsewhere. It is unclear how Kogarah council, which last year collected \$1.2 million in fines from local motorists, will deal with the existing parking crisis, let alone the extra load expected from massive new developments proposed around St George High School.

As a start to the process of alleviating parking pressures in Kogarah, I encourage Kogarah council to approach the New South Wales Government about acquiring the land that is currently the St George TAFE car park to be used as a multistorey car park. This approach should take place long before agreeing to the new city plan. If the council is right and the State Government is forcing Kogarah into these changes, then the State Government must come to the party and help with the infrastructure that is desperately needed.

To allow more time for community submissions, I call on Kogarah council to extend the consultation period beyond 29 May and to conduct a public meeting to explain to the community why these areas have been rezoned. Development and increased density in an area such as St George is inevitable and, to some degree, changes will be implemented. However, councils must not be seen to pursue changes that appear arbitrary, secretive and out of place. I acknowledge the hard work of the people of the United Kogarah City Residents Association [Kogarah.org] and their organisers for the tireless work they do on behalf of our community and I thank the resident action groups of St George for participating in the well-attended, community-led meetings.

### **PACIFIC HILLS CHRISTIAN SCHOOL *HAIRSPRAY* MUSICAL**

**Mr RAY WILLIAMS** (Castle Hill—Parliamentary Secretary) [12.51 p.m.]: On Saturday 9 May, together with my wife, Wendy, I had the great pleasure of attending a local production of the Broadway musical *Hairspray*. The musical was performed and produced by the students and teachers of Pacific Hills Christian School. The musical *Hairspray* is set in Baltimore in the late 1960s—a thriving, yet controversial decade for America. It was a time of live television dance shows, towering hairdos held up by the use of multiple cans of hairspray, and brightly coloured fashion. Against this backdrop were laws of racial segregation where African Americans had to sit or stand at the back of a bus and were not allowed to use the same bubblers or toilets as white Americans. It was a time when television was black and white but communities across the world were black or white.

In the Pacific Hills Christian School production, the part of Tracy was played by the fantastic Georgia Gourlay, a senior student at the school. Georgia is a young schoolgirl who loves to dance and who dreams of becoming a star. In *Hairspray* Tracy has the option of using her growing fame to endorse products and become rich. Instead, she sees a more desperate need and wants to use her new-found popularity to take a stand against racial segregation in her town of Baltimore. The message of *Hairspray* was profound at the time and it remains so today.

Love through acceptance and knowledge was the message of the show at Pacific Hills. The musical cast consisted of more than 160 parents, staff and students ranging from years 3 to 12. Not only was the school's musical an excellent production, more importantly, it challenged the students and encouraged them to develop their God-given gifts and skills to serve each other in the community. The story of the struggle for freedom, rights and status in society invited a sense of empathy and compassion in the students and, most definitely, in the audience.

The production team consisted of producer Belinda Nunn, Philip Edney as associate director, Lauren McDougall as creative director, Ben Yabsley-Bell as musical director, and Jenny Barnes as orchestral director and piano accompanist. The musical was performed by a range of talented young actors and singers, including Laith Tucci as Link, Josephine Pawlicka as Penny, Jinyoung Kim as Seaweed, Sam Dearden as Corny, Monique McCreanor as Edna, Michael Walsh as Wilbur, Victoria Cooper as Velma, Bella Beach as Amber, Taneesha Mohammed as Motormouth Maybelle, Taejah Ofordu as Little Inez, Ruby-Rose Wind as Prudy, Stephen Edney as Spritzer, James Kim as Duane Gilberts, and Rachel Edney as matron principal.

Accompanying the cast were the Dynamites and the Council Members, which performed musical numbers including "Miss Baltimore", "Welcome to the Sixties" and "The Big Doll House". The fantastic Dynamites crew consisted of Emmaline Malani, Shemaiah Sundararaj, Seraiah Sundararaj, Britney Grul and Angelina Hanna. The Council Members was made up of the incredibly gifted Ava Assanti, Keeley Bayldon, James Bayliss, Christopher Bloom, Isabella Chiper, Ella Far, Hannah Fletcher, Kayla Gunning, Dominic Jones, Ophie McDonald, Julia Pemberton, Ashley Sekura and William Viles.

The junior school, middle school, senior school and dance chorus, accompanied by the orchestra, provided fantastic vocals and added enormous energy to the performance. I was particularly impressed with the professionalism and the huge effort of all involved, from those working front of house to those who created the incredibly detailed guide and all the way to the cast and producers. The musical left me feeling proud of the depth of our young talent in performing arts in The Hills and across this country.

Together with my wife, Wendy, I thank the school principal, Ted Boyce, who has been an institution at this school for many decades. He should be proud of the achievements that his school continues to attain on a daily basis. I thank him for his generous hospitality and wish all those involved in the musical every success in the future. I look forward to returning to watch another amazing performance by the Pacific Hills Christian School in the near future.

### **LIFELINE MACARTHUR**

**Mr CHRIS PATTERSON** (Camden) [12.56 p.m.]: I speak today about an organisation in my electorate, Lifeline Macarthur. I was honoured to be invited to Lifeline's Annual Volunteer Awards night. Without its volunteers, the organisation would not be able to assist the community in the fantastic way it does. Lifeline began in March 1963 from humble beginnings when someone contacted Lifeline after hearing the words, "Help is as close as the telephone. You do not have to be alone. Someone who cares is available 24 hours a day".

The vision of the late Reverend Sir Alan Walker, Superintendent of the Central Methodist Mission, to help people via the telephone was certainly a game changer for those most vulnerable in our community. After two years of planning, a nine-month course was conducted and the first 150 people began telephone counselling. The necessary funds were raised and an old, dilapidated building in Sydney, which was owned by the mission, was renovated to begin the service. Lifeline's number was listed on the emergency pages of the telephone directory in order to make it easy for people to find. "Lifeline" was not the first title to be considered but, after many suggestions, that is what was finally decided on. The name speaks volumes about its purpose.

The heart of Lifeline is the large volunteer force of well-trained, carefully selected and efficiently managed volunteer men and women whose primary task is to maintain a constant presence and availability of non-judgmental and person-centred counselling. Their response must be accepting and caring and provide an atmosphere of safety and openness that will allow callers to explore their feelings and problems. This provides an opportunity for the counsellor and the caller to consider the various alternatives that are available to the caller in seeking to cope with or in finding resolutions to their problem. Lifeline has now become a global entity. Not all countries use the name "Lifeline" but in every country the organisation operates with the same values intended by Reverend Sir Alan Walker.

Lifeline Macarthur commenced in 1978 to meet the needs of people in crisis in the Macarthur area. Since then, it has expanded to cover areas from Fairfield, Rossmore, Liverpool and Macarthur—which is made up of Campbelltown, Camden and Picton—to Robertson in the east, Braidwood in the south and Goulburn in the west. The team at Lifeline Macarthur is to be commended for its commitment and dedication. The operations manager, Des Eagan, is supported by crisis support manager Jacky Moore; crisis support coordinator Jacki Hammonds; in-shift support Catherine Forsyth, Sally Roberts and Nicole Soto; financial counsellor Geoff Cornwall; financial counsellor Emylee Tuzon; retail operations manager Sandra Cartwright; distribution manager Katrina Woods; distribution manager's assistant Helen Sahin; clerical assistant Maria Matriano; training coordinator Martin Jess; marketing and events manager Sonia Hollands; finance manager Carol Zdelar; human resources consultant Jenny Potter; and volunteer coordinator Kerry Valentine.

I mention the following volunteers by their first name in order to respect their privacy, as per Lifeline's policy. I thank Wendy, Catherine, Rudi, Sally, Helen, Kim, Sandra, Elsa, Gwen, Sandra, John, Roger, Margaret, Charlene, Linda, Colin, Martin, Emylee and Leanne, who have all contributed five outstanding years' service. Sheree and Ann have contributed seven outstanding years' service. Ellen, Joan, Carmen, Anita, Joyce, James, Lindsay and Ruby have all contributed a remarkable 10 years' service. Barbara, John, Tracy and Debbie have contributed 15 years' service.

The following people have been awarded Telephone Crisis Accreditation: Sharon, Eileen, Shaun, Hannah, Suzanna, Jessica, Joanne, Rachel, Geraldine, Julie, Siu, Sue, Glenyce, Daniel, Michael, Dominique, Anne, Pam, Anne and Jake. Eileen, was named a New South Wales Volunteer of the Year; Alberto, received an

Excellence in Customer Service award; Peter, a Helping Hands award; Aileen, a Dedication to Best Practice award; and Sandra, a Dedication to Service award. I make special mention of my Community Service Award winners, Robyn and Barbara, who between them have devoted more than 1,900 hours to Lifeline in telephone crisis support. We as a community cannot thank all these wonderful people enough for their work that assists those who have no-one else to turn to—they literally saves lives. I also make mention of a wonderful lady who has been with Lifeline for many decades: Margaret Appleby. She is a wonderful friend of ours. I commend her and all those I have mentioned to the House.

### **RANDWICK DISTRICT RUGBY UNION FOOTBALL CLUB HEADSAFE PROGRAM**

**Mr BRUCE NOTLEY-SMITH** (Coogee) [1.01 p.m.]: I refer to a very interesting program that is being run in my electorate of Coogee. We all know that Coogee is home to the State's, the nation's and the world's greatest rugby club: the Randwick District Rugby Union Football Club. The Randwick head safe project is being conducted—

**Mr Ron Hoenig:** The Galloping Greens.

**Mr BRUCE NOTLEY-SMITH:** The Galloping Greens indeed. Concussion in sport is a very serious matter, and all sporting codes are starting to view it with the seriousness it deserves. In Randwick, under the supervision of Dr Adrian Cohen, an innovative piece of technology called the X2 xPatch biosensor is being used. This biosensor is attached just behind the ear of a player and records all player movements made throughout a game—all the tackles and collisions. The biosensor not only details them but also measures them in g-forces. At the end of a game it tells us exactly what sorts of forces were placed on the brain of a player throughout the game.

Everybody's body is different and the baseline for each and every player must be established. In Randwick they are testing players in various ways to establish their baseline and the amount of physical activity and collisions they can withstand. One player might have a 40 g collision and need to take a few weeks away from the game but someone else might have double that and be okay to play on. It is important research because across the world, particularly in the United States of America, class actions are being taken against football codes for the damage that has been done to the brains of players because the seriousness of concussion was not recognised.

All 50 American states have adopted what is called the "Zackery Lystedt Law". If a player in a school football game is concussed they are required to leave the game and receive external medical clearance before they are allowed to play again. This law came about in response to the plight of a player named Zackery Lystedt, who was seriously concussed and returned to play soon after only to collapse later. While he is still alive, the same cannot be said for many other players not only in the United States but also in Australia who, having returned to play straight after a concussive incident, died during the game. There are recent such cases in Australia.

While at this point I do not advocate that we need to legislate in this area, there is a growing chorus calling for legislation similar to that which exists in the United States. It is our responsibility to look at what is being done at the Randwick rugby club and to search for some uniform laws, or at least guidelines, that can be applied across all sporting codes. We must ensure that any player who is concussed is taken from the field and their concussion is treated with the utmost urgency. They should return to the field only after receiving medical clearance. If this matter requires legislation, so be it. I know in the macho Australia sporting environment there is a lot of pressure on players to get back onto the field, but that is unacceptable. I am happy to bring this matter to the attention of the House.

### **CBD AND SOUTH EAST LIGHT RAIL PROJECT**

**Mr RON HOENIG** (Heffron) [1.06 p.m.]: I bring to the attention of the House my concerns about the CBD and South East Light Rail project as it relates to my electorate. In my view the implementation of this project has been nothing short of hopeless. Whilst I concede that light rail is probably the second most effective means of moving people, it will work only if it is part of an integrated transport system. In any event, because of the Government's commitment to the expensive light rail project I sought to involve myself in a constructive process to make sure that the project will work. However, my suggestions to the Government or the Minister were ignored; the suggestions of Randwick City Council, a supporter of the project, were also ignored—and on each occasion we have been proved right.

The latest debacle impacting upon my electorate relates to the proposal to vary the planning consent of the location of the light rail line in Alison Road. When the project was first mooted 18 months ago it was proposed that the light rail line would proceed on the southern side of Alison Road, with a stop in front of Randwick racecourse. I indicated to the Government the problem with that proposal insofar as the Australian Turf Club's administrative office building was in the way. Despite my telling the Government the line was only half a metre from that office, the Government gave itself planning consent to build the line at that location.

Following the approval, Government contractor ALTRAC told the Government that there was a building in the way and that the cheaper option would be to move the track to the northern side of Alison Road. So just before Christmas the Government changed its planning consent to locate the line on the northern side of Alison Road—the other side of that major road and away from the racecourse. I thought the whole purpose of putting a light rail stop in front of the racecourse was so that thousands of racegoers could catch light rail after race meetings.

I told the Government that the building was in the way, but it knew better—until its contractor confirmed what I had said. What was the Government's response? It intends to locate the stop on the other side of Alison Road by resuming some of the Centennial Parklands and removing at least 20 significant trees—that is, trees that are more than 100 years old—bike lanes, footpaths and running tracks to make up for the Government's stupidity in its original implementation of the line, which is somewhat bizarre. If a building is in the way, the planning consent must be modified. But to locate the line on the opposite side of the road, which will occupy more public land in Centennial Park, is outrageous.

Governor Macquarie granted Centennial Park and Moore Park to the people of Sydney to be held in trust. It is not acceptable for portions of the Centennial Parklands to be used for other means each time the Government makes an error. The location of the light rail line is not appropriate. Randwick City Council has several propositions to put to the Government to save the old trees. One proposition is that the light rail line runs down the middle of Alison Road; another is to move the light rail line further south of its proposed location. At times it will be necessary to remove trees to allow progress but it is a shame to dig up trees that are more than 100 years old in order to cover-up a Government error that the Randwick City Council and I sought to bring to its attention. I wish to be constructive in this debate. I am not a protester, but this project has been poorly handled and the Government must adopt common sense when considering Centennial Park and the location of the light rail line.

### COOTAMUNDRA ELECTORATE DIALYSIS SERVICES

**Ms KATRINA HODGKINSON** (Cootamundra—Parliamentary Secretary) [1.11 p.m.]: I bring to the attention of the House the need for additional renal dialysis services in my electorate. I first raised the need for a haemodialysis unit in Young in 2007 by making representations on behalf of my constituents to the then Minister for Health. Over the next two years I wrote many letters to successive Ministers for Health about it. In May 2009 I asked questions in this place and also spoke about the need for dialysis services in Young on several occasions. I am still being contacted by my constituents about the need for a satellite haemodialysis unit in Young, I am still writing letters about this issue to the Minister and I am still talking about it in this place.

In mid-July 2009 I was pleased when the then Greater Southern Area Health Service announced that it was investigating the possibility of establishing a self-care renal haemodialysis service in Young. The self-care model is for patients who are identified by their renal physician, or nephrologist, as being clinically suitable and stable enough to manage their own treatments with the support of a buddy. The Young self-care renal dialysis unit was opened in August 2012 under the Liberal-Nationals Government. Melinda Pavey, then Parliamentary Secretary for Regional Health, and I oversaw the proceedings. It was a great day because the community now has a facility for suitable patients to have renal dialysis treatment close to home.

A significant portion of the funding for the unit was provided through donations and the hard work of the community of Young. Through its fantastic efforts the local community raised \$120,000. In addition, \$75,000 was provided by NSW Health. The establishment of a self-care dialysis unit beside Young Hospital was the first important step in the right direction for the renal patients of the Young district of the Murrumbidgee Local Health District [MLHD] that gives suitable patients greater autonomy and improved health outcomes. In December last year I accompanied the Minister for Health, the Hon. Jillian Skinner, on a visit to Cowra to announce the Government's plan to establish a satellite haemodialysis unit at Cowra Hospital.

The Government responded to the demonstrated need for this facility, which is planned to open in February 2016. It will commence with six chairs operating over three shifts per week, providing treatment for

six people, with the capacity to expand to eight chairs should patient need increase. I am most appreciative of this investment in the Cowra district because it is an important addition to primary health care. Looking at the current demand for dialysis across the region generally, it is my understanding that Cowra was considered to be the most logical, convenient location in which to establish the new satellite service. It will allow fairer access and reduced travel time for more patients across a broader region. The Murrumbidgee Local Health District Renal Clinical Services Plan 2013-2017, Version 3.0, section 8.4.3, "Satellite/In Centre Care", states:

A satellite/in centre haemodialysis unit in Young to service the Young, Cootamundra, Temora and Boorowa/Harden communities is needed because the current patient data and projected growth of the region indicates a need to establish a localised renal service. Patients from this area currently need to travel in excess of 1 hour for treatment and have the greatest travel times of all patients in MLHD.

A spatial analysis of the MLHD population renal dialysis needs identifies Young as the next highest priority area in the MLHD for development of a satellite renal dialysis unit. A unit in this location could service the Young, Cootamundra, Temora, Boorowa, Harden and Murrumburrah communities. I understand that four patients currently travel to Canberra three times per week for dialysis—two are from Young and two are from Boorowa. The haemodialysis unit in Canberra has closed and patients are now being treated by the Queanbeyan dialysis unit. By the time community transport picks up all its clients, the travel time one way from Young to Queanbeyan via Boorowa is around 2½ hours. This places a great demand on the time of patients and what is more concerning is that it has an even greater negative impact on their already compromised health. Recently one patient opted to cease dialysis rather than travel the increased distance to Queanbeyan for treatment. Sadly, this man has died.

Currently there are two pre-dialysis chronic kidney disease patients travelling from Young and Stockinbingal to Wagga Wagga for management. There are five pre-dialysis chronic kidney disease patients from Boorowa and one from Harden who may progress to dialysis at some stage in the future. There are two patients who utilise the self-care dialysis service in Young and another two patients who self-dialyse at home. I understand that another patient may be moving to Young in the near future and will be using the self-care centre in Young. It was announced recently that the Murrumbidgee Local Health District is working with the Western New South Wales Local Health District in planning for the new Cowra satellite renal dialysis unit to service the Young and Cowra areas. This is another positive step.

I welcome this measure because it will improve access for renal dialysis patients in Young and district who are travelling far distances. Concerns were raised that the self-care unit attached to Young Hospital will be closed. I have been assured that this unit will not be closed, which is great news. The Young community feels that it was overlooked when the decision was made to establish a satellite haemodialysis unit in Cowra. It is important that Young remains on the list to receive a satellite haemodialysis unit. The treatment of patients from Young, Harden and Boorowa at Cowra's satellite haemodialysis unit should be regarded as an interim measure. The incorporation of an integrated satellite haemodialysis unit staffed by a dedicated renal nurse at Young Hospital, in addition to the existing self-care dialysis unit already there, as well as the planned satellite haemodialysis unit at Cowra Hospital should remain a priority for the Government.

### **AUSTRALIAN VIETNAMESE COMMUNITY**

**Mr NICK LALICH** (Cabramatta) [1.16 p.m.]: I acknowledge that this year marks the arrival of the first Vietnamese refugees in Australia 40 years ago. The Vietnam War forced many people from their homes and dragged neighbouring Laos and Cambodia into the conflict. The fall of Saigon in 1975 forced many Vietnamese to flee abroad. Those seeking a new start or a better life with greater opportunities came to Australia. In April 1975, under the then Fraser Government, Australia welcomed the first wave of Vietnamese refugees. Since then the Vietnamese have made a great contribution to Australian society. I am extremely proud to represent the electorate of Cabramatta, which is home to a large Vietnamese community. Twenty per cent of the population in my electorate were born in Vietnam and more than 25 per cent can speak Vietnamese. I am delighted that many Vietnamese business owners have chosen to set up businesses within the Cabramatta central business district, which has become a tourist destination.

I am a great supporter of the Vietnamese community and its work. I acknowledge the Vietnamese Community in Australia [VCA] for the tremendous work it does in the local area and elsewhere. The VCA is a fantastic organisation that provides a wide range of services to the Vietnamese community, such as support and translation services. The VCA is also involved in preparing and hosting many events in the local area. I thank my friend, Mr Tri Vo, president of the Vietnamese Community in Australia and Dr Thang Ha, New South Wales president of the Vietnamese Community in Australia. I acknowledge the Vietnamese Australian Mutual Support Association and the Vietnam Veterans Association of Australia for the advancement of the Vietnamese

community. The Vietnamese are kind and generous to the wider community, which has demonstrated through the various local events they have hosted, such as fundraising for the victims of the cyclones that caused severe damage in the Philippines.

I am delighted to commemorate this important day. Many events were held across my electorate of Cabramatta. I acknowledge the contribution that the Vietnamese community has made in my electorate and to Australian society in the 40 years since Vietnamese people migrated to Australia. Cabramatta has really moved ahead and developed into one of the best tourist areas in Sydney, but without our Vietnamese community it would still be a little backwater. The Vietnamese community owns almost one-third of Cabramatta shops and, as I said earlier, the people are helpful to the wider Fairfield City Council community. Indeed, they rarely complain about anything—trains not running to timetable, fare increases and electricity price rises—except for being booked for double parking.

Cabramatta, like most other central business districts, does not have enough parking. I have spoken to the responsible Minister many times about increasing commuter car parking in the area. I have also spoken to Treasurer Gladys Berejiklian, who is a former Minister for Transport, about providing more car spaces in Cabramatta. It is almost impossible to move around Cabramatta on a weekend, when it is at its busiest. I have also asked that consideration be given to leasing air space, as the Fairfield City Council did at Canley Vale station—currently a double deck, with 140 additional car spaces, is being built there. I have written also to the responsible Minister and the Treasurer requesting funding, if a complete new car park is not able to be built, for a double deck to be added to the John Street car park. I am very proud to represent the great Cabramatta Vietnamese community in this House.

#### **ALBURY ELECTORATE AMBULANCE COMMUNITY FIRST RESPONDER UNITS**

**Mr GREG APLIN** (Albury) [1.21 p.m.]: We are all familiar with the title "ambulance chasers", which is used to identify those lawyers and journalists who get to the scene of an incident by following an ambulance with lights and sirens activated. Generally they are looking to see whether they can make some money or gain an exclusive story from another person's misfortune. But what do you call someone who gets to the accident before the ambulance, and who is there to offer assistance not seeking any reward but as a volunteer? In regional New South Wales we have a term for these inspirational people: community first responders. Emergency response resources have been boosted in my electorate with the launch of two NSW Ambulance community first responder units.

The first local volunteers under the program are members of the Henty and Culcairn fire brigades. On 18 April I attended a graduation ceremony in Culcairn, where I met Superintendent Susan Wester, who is the manager of volunteer and community first responders, Clinical Training Officer Sheryl Baker, Acting Deputy Director of Operations Mark Gibbs, and Chief Superintendent Ken Murphy of Fire and Rescue NSW. Community first responders are accredited and operate under NSW Ambulance governance and training. The majority of volunteers respond under a formal memorandum of understanding with the State Emergency Service, Rural Fire Service or Fire and Rescue NSW.

They deliver state-of-the-art out-of-hospital care to their communities and visitors in remote and rural locations, and also provide initial management of patients until paramedics arrive. Our community first responders were ready to go "live" when I contacted Fire Captain Barry Fisher in mid-May. They were just waiting on the final stages involved in mapping their communications, which was necessary to bring them into harmony with existing communications systems. All those in the team were already involved with firefighting to some degree—they had that training and experience behind them. Soon they would be on the road providing first aid—a different level of care indeed.

The Olympic Way is in part of the area for which this team will be responsible—namely, a significant inland stretch of road that has been the scene of many high-speed accidents. In Culcairn the fire service has a quicker response time than the ambulance. This means that it could be on the scene of an emergency up to 20 minutes before paramedics arrive. During this important early stage the community first responders will make patient observations and provide first aid and, if required by paramedics, they might sit in the back of the ambulance to provide ongoing assistance until the patient gets to hospital. However, they do not operate from a NSW Ambulance or health facility, they do not have an ambulance vehicle and they do not transport patients themselves—that is for the ambulance service. Each responder must carry an identification card and a competency card. They will also wear a fluoro vest. Each time someone dials 000 the community first responders will be informed of the incident and out they will go.

The community first responders expect to deal with situations of road trauma and other emergencies. As I have mentioned, many of the responders in my electorate already have some level of experience in managing dangerous situations, such as fighting bush and house fires. Attendance at incidents where age and illness or disability is involved will be new to them—for example, an elderly person might have had a heart attack or stroke, or the patient might be a baby or a child. The community first responders will be dealing with the realities of the health and safety conditions common to older people in those communities with an ageing population.

Graduation will not be the end of it for the responders; it is just the start of their ongoing education. Every month there will be mandatory training, once every year they must undergo accreditations and, if responders wish, they can also undertake further study—moving into phases three, four and five of an education that has the potential to take them all the way to becoming an ambulance officer. The initial training for those in Culcairn and Henty was over, all the equipment was in place and the first call-out was imminent. I asked Barry how the Culcairn group was feeling. He said, "We're confident and keen to see how it all works now. It has been a long time coming. Soon everyone will have that adrenaline rush—just like going to your first fire." The Culcairn group expects to be busy—that squad alone anticipates receiving around 150 to 200 calls in a year.

I take this opportunity to express the appreciation of all in the electorate of Albury to the first local volunteers and graduates who are members of the Henty and Culcairn fire brigades: from Culcairn, Barry Fisher, Ian Forrest, Paul Jenkins, Donna Simmons, Liam Forrest, Rochelle Eramiha and Frederick Kelsh; and from Henty, Phillip Takle, Brenten Meyer, Robert Kilo, Nathan Scholz, Raymond Wilson, Russell Davies, David Weston, Jason Morey and Callum Dumesny. Currently more than 50 volunteer and community first responder units are operating across New South Wales. Henty and Culcairn now have units of their own and we are safer for their presence and dedication. I thank them all for their vital work in rural and regional New South Wales.

**Ms KATRINA HODGKINSON** (Cootamundra—Parliamentary Secretary) [1.26 p.m.]: I thank the member for Albury for bringing this matter to the attention of the House. Rural communities have been crying out for a service such as this for quite some time. Often when things happen to the very young and/or to seniors in our rural communities it is the local fire brigade officers who are first on the scene. Indeed, the training offered for people to become community first responders will be a great positive for many rural and regional areas of New South Wales. I commend the member for Albury for his enthusiasm and passion for health services in his electorate.

*[Acting-Speaker (Ms Melanie Gibbons) left the chair at 1.26 p.m. The House resumed at 2.15 p.m.]*

## VISITORS

**The SPEAKER:** I welcome our guests to the gallery this afternoon and to question time in the Legislative Assembly. I hope you enjoy the afternoon. Specifically I welcome representatives of the Global Women's Network, guests of the member for Strathfield.

## CENTENARY OF FIRST WORLD WAR

**The SPEAKER:** May 24 1915, almost exactly one hundred years ago, was one of the most significant days for Australians during the entire Gallipoli campaign. On that day, after much negotiation, both sides agreed that a truce would be observed from 7.30 a.m. to 4.30 p.m. so that both sides could recover and bury their dead. It is impossible to read any of the records or reminiscences of that day without being deeply moved. It is equally impossible to know exactly how many bodies were recovered that day; certainly it ran into the thousands because the bodies of the dead had been left on the contested battlefield for up to four weeks. The task of recovering the dead would have been overwhelming. Indeed, so overwhelming that the men assigned to the task of immediate body recovery could operate only with antiseptic-soaked cotton wool over their noses.

Men of the two fighting armies met, for the first time, face-to-face as simple human beings, doing the same terrible job, suffering the same, grieving the same. They exchanged words, they shook hands, they swapped cigarettes and they smoked together. They gave each other sweets and chocolates. They exchanged buttons and souvenirs. They wept together but none of them laughed. Above all they knew, deep in their hearts, that despite these moments of human contact, in just a few hours' time they would be back in the trenches trying to take each other's lives. It would have been unbearable. The impact on those involved simply cannot be imagined. Perhaps it would be best to quote the words of a Turkish captain spoken to by British intelligence officer Captain Aubrey Herbert:

At this spectacle even the most gentle must feel savage, and the most savage must weep.

## REPRESENTATION OF MINISTERS ABSENT DURING QUESTIONS

**Mr MIKE BAIRD:** I advise members that during the absence from the Chamber today of the Minister for Corrections, Minister for Emergency Services, and Minister for Veterans Affairs, the Attorney General will answer questions relating to his portfolio.

## ASSENT TO BILLS

### Assent to the following bills reported:

Courts and Crimes Legislation Amendment Bill 2015  
Pesticides Amendment Bill 2015

## ADMINISTRATION OF THE GOVERNMENT OF THE STATE

**The SPEAKER** reported the following message from His Excellency the Lieutenant-Governor:

T F BATHURST  
Lieutenant-Governor

Government House  
Sydney, 22 May 2015

The Honourable Thomas Frederick Bathurst, AC, Lieutenant-Governor of the State of New South Wales, has the honour to inform the Legislative Assembly that, consequent on the Governor of New South Wales, His Excellency The Honourable General David Hurley, AC, DSC (Ret'd), being absent from the State, he has assumed the administration of the Government of the State.

## ADMINISTRATION OF THE GOVERNMENT OF THE STATE

**The SPEAKER** reported the following message from His Excellency the Lieutenant-Governor:

DAVID HURLEY  
Governor

Government House  
Sydney, 24 May 2015

General David Hurley, AC, DSC (Ret'd), Governor of New South Wales, has the honour to inform the Legislative Assembly that he has re-assumed the administration of the Government of the State.

## BUSINESS OF THE HOUSE

### Notices of Motions

**Government Business Notices of Motions (for Bills) given.**

## QUESTION TIME

*[Question time commenced at 2.23 p.m.]*

## CBD AND SOUTH EAST LIGHT RAIL PROJECT

**Mr LUKE FOLEY:** My question is directed to the Minister for Transport and Infrastructure. Given that thousands of motorists will be forced to use the Cross City Tunnel to avoid traffic disruption in the city during and after construction of light rail, will the Minister give the House an undertaking that no taxpayer funded compensation will be paid to Transurban in return for the company lowering tolls?

**Mr Jamie Parker:** They are privatising electricity and you are asking about light rail?

**The SPEAKER:** Order! What is the member for Balmain doing? Government members will stop inciting the member for Balmain. The Member for Drummoyne will leave him alone.

**Mr ANDREW CONSTANCE:** I thank the member for Balmain for his interjection and do not thank the Leader of the Opposition for his question. In relation to light rail, I do not know if the Leader of the Opposition has been down George Street, driven across Anzac Bridge, driven on the Eastern Distributor, or driven on any CBD street, without realising that this city has a major congestion problem. In fact it is costing the State some \$5.1 billion. That is why this Government is very happy to look at all measures necessary during the tough and complex light rail project to ensure that we can mitigate the disruption during construction as much as possible.

This is a vital project along with all the other necessary transport projects this Government is building. I note that Transurban has been flagging some proposals in relation to the Cross City Tunnel. Another thing I will say is that the Leader of the Opposition has been very busily changing his position on light rail and I am sure at some point during question time the Premier might produce a certain document that shows the confusion of the Leader of the Opposition.

**Mr Michael Daley:** Point of order: My point of order is in respect of Standing Order 129. The question was not about the Leader of the Opposition; it was about whether the good Minister will give the House an undertaking.

**The SPEAKER:** Order! In the comments I have heard, the Minister has been very relevant to the question that he was asked. I do not need a hearing aid. I can hear whatever you say.

**Mr ANDREW CONSTANCE:** I know the Premier will refer to a document shortly but I am glad the member for Maroubra rose to his feet. If the Leader of the Opposition had done his homework on the CBD light rail before appearing in the media this morning, he would know that the member for Maroubra was in this House on 4 April 2012 calling on the Government to expand the scope of the relevant studies into the CBD light rail to examine whether:

...light rail could form part of a transport network to the historical birthplace of European Australia at La Perouse and provide benefits to the people of my electorate as well.

Here we have the Shadow Treasurer backing the CBD light rail and the Leader of the Opposition opposing it.

**Ms Linda Burney:** Point of order—

**The SPEAKER:** Order! The Minister remains relevant. Does the member for Canterbury have a different point of order? The member may not like the answer, but the Minister remains relevant. Can the member think of another point of order?

**Ms Linda Burney:** Is it possible that he actually addresses the point?

**The SPEAKER:** Order! Does the member for Canterbury have another point of order?

**Ms Linda Burney:** No.

**The SPEAKER:** Order! I suggest the member for Canterbury read the standing orders. The only thing I can rely on in the standing orders is that the Minister remains relevant, which he is doing. The member for Canterbury will resume her seat.

**Ms Linda Burney:** Vaguely, I have to say.

**The SPEAKER:** Order! I call member for Canterbury to order for the first time. I will not tolerate members approaching the microphone to cause an argument. The Minister has the call.

**Mr ANDREW CONSTANCE:** In closing, in relation to that answer it is four years until the next election.

**The SPEAKER:** Order! The member for Charlestown will come to order. I call the member for Bankstown to order for the first time.

**Mr ANDREW CONSTANCE:** Labor took to the last State election policies to cancel everything in this city. They had 16 years in office cancelling projects, then took to the last election an infrastructure plan to cancel projects. One would have thought Labor could have waited more than three months before announcing another project that it would cancel.

## STATE INFRASTRUCTURE

**Mr BRUCE NOTLEY-SMITH:** My question is addressed to the Premier. How is the Government rebuilding New South Wales?

**Mr MIKE BAIRD:** What sort of a response is that from the Opposition?

**The SPEAKER:** Order! Opposition members are not interested.

**Mr MIKE BAIRD:** No, they are not.

**The SPEAKER:** Order! The member for Keira is not interested. He can leave the Chamber if he wishes.

**Mr MIKE BAIRD:** What a great question from a great member. We congratulate him on his victory. They did not expect him to be back here; but here he is, back as the member for Coogee. As we heard from our great Treasurer before question time, the Government is about to introduce in this House legislation that is quite historic. For too long, the people of this State have waited for this legislation—when all sides of politics have known this is the right thing to do. Our hope is that within two weeks that legislation will pass through both Houses of Parliament. It is a long time coming.

The reason it is so exciting for the people of this State is not only that it will put downward pressure on electricity prices—which is what the evidence says, not what the unions say—but also that it will provide \$20 billion that will be invested in infrastructure across this great State, whether that is in Sydney Rapid Transit, WestConnex, a new hospital at Rouse Hill, redevelopment of Campbelltown hospital, new schools in Parramatta, investments across the regions in health, education, road and water infrastructure projects. These are all projects that the community of New South Wales deserves. Yet, for some reason, those opposite remain against it.

This is a plan that the people of New South Wales have supported. It was a little thing—Opposition members might have missed it—but there was an election. In that election, the people of New South Wales said, "We want infrastructure to be built." Opposition members might not listen to the people of New South Wales but maybe they will listen to people such as Bob Carr, or Michael Egan, or Michael Costa or Nathan Rees; or a favourite, they might even listen to Martin Ferguson—who is in trouble for telling the truth. The Labor Party wants to kick him out because he told the truth. That is what the Labor Party is about. I do not understand why members opposite are against benefits for their communities. I would like to know why the Labor members for Campbelltown and Macquarie Fields are against the redevelopment of Campbelltown hospital. Why do they not want to redevelop Campbelltown hospital?

**The SPEAKER:** Order! There is too much audible conversation coming from the Government benches.

**Mr MIKE BAIRD:** They do not want that redevelopment. And I do not understand why the Labor members for The Entrance, Gosford and Wyong are against investment in Central Coast roads. Why are they? Though tens of thousands of people are stuck in traffic every day on the Central Coast, those members would leave them stuck in traffic. That is what those members will be voting on when the legislation comes before the House. And I do not understand the two Labor members for Newcastle and the members for Charlestown, Maitland and Port Stephens.

**The SPEAKER:** Order! There is too much audible conversation in the Chamber.

**Mr MIKE BAIRD:** Why on earth are they against investment in roads that will make a difference to members of their communities, from one end to the other of the Hunter? I do not understand. But my particular favourites are the Labor members for Keira, Wollongong and Shellharbour.

**The SPEAKER:** Order! The member for Keira will come to order. I call the member for Port Stephens to order for the first time. She will cease interjecting.

**Mr MIKE BAIRD:** We note the new seating arrangements for the Left and Right in the Labor Opposition, with Shellharbour at one end of the bench and Wollongong at the other—because they cannot be seen together. I do not know where the member for Keira sits, but it is somewhere in between them. He plays all sides. Whoever will back him up the pole, he is on their side.

**Ms Jodi McKay:** Point of order: I think the whole House knows what my point of order is. The Premier should answer the question.

**The SPEAKER:** Order! It is not for the member to tell the Premier to answer the question. The Premier's response remains relevant.

**Mr MIKE BAIRD:** I saw them down at Albion Park Rail, finally. That bypass will be built—with a \$550 million commitment that we will provide. In the election campaign they were standing there saying, "We want more traffic."

**The SPEAKER:** Order! The member for Shellharbour will stop shouting.

**Mr MIKE BAIRD:** Well, there is good news for the people of the Illawarra.

**Pursuant to standing order additional information provided.**

**Mr MIKE BAIRD:** It does not matter where you go, Opposition members are against progress in their community. Even the members for Bankstown, Lakemba and Canterbury are against the Sydney Rapid Transit: for some reason, they do not want more trains on their train lines. The members for Kogarah, Rockdale, Lakemba and Bankstown are against pinch-point works.

**The SPEAKER:** Order! The member for Port Stephens will come to order.

**Mr MIKE BAIRD:** All of them—the members for Bankstown, Cabramatta, Blacktown, Fairfield, Granville, Londonderry, Macquarie Fields, Auburn—

**The SPEAKER:** Order! I call the member for Canterbury to order for the second time. I call the member for Londonderry to order for the first time.

**Mr MIKE BAIRD:** —Mount Druitt, Prospect, Strathfield, Liverpool, Lakemba, Seven Hills, Canterbury, Kogarah, Rockdale, Heffron and Maroubra—all of them—

**The SPEAKER:** Order! I call the member for Port Stephens to order for the second time.

**Mr MIKE BAIRD:** —are against the benefits that will come from the WestConnex project.

**The SPEAKER:** Order! I call the member for Londonderry to order for the second time. Opposition members will cease interjecting. They will soon be on three calls to order if they continue to interject, and then they will be removed from the House.

**Mr MIKE BAIRD:** They do not want—

**The SPEAKER:** Order! I call the member for Wollongong to order for the first time.

**Mr MIKE BAIRD:** They want members of their communities on the roads, rather than with their families. They are happy with congestion, rather than have their communities spending more time with their families.

**The SPEAKER:** Order! I call the member for Port Stephens to order for the third time. The member will come to order.

**Mr MIKE BAIRD:** They are happy with existing productivity across the economy: we want more productivity. We want the economy to grow, we want more jobs, and we want the people of this State to have more time with their families. I was amused to hear the Opposition spokesperson say what he did today. He said previously, "I want to see the legislation"; today he says, "I don't want to see the legislation." I want it; I don't want it. They have no idea where they are. The good news is that the Leader of the Opposition clearly said this:

This election will be a referendum on electricity privatisation in this State.

Well, the people of this State have spoken. They have said, "Get on with building the projects that we waited for during 16 years of Labor."

**The SPEAKER:** Order! The member for Londonderry will come to order.

**Mr MIKE BAIRD:** Labor never delivered those projects. We will do exactly what the people of this State asked us to do.

**CROSS CITY TUNNEL**

**Mr MICHAEL DALEY:** My question is directed to the Minister for Transport and Infrastructure. Have discussions taken place between the Government and Transurban regarding the operation of the Cross City Tunnel during construction of light rail? If so, what was the nature of those discussions?

**The SPEAKER:** Order! The House will come to order.

**Mr ANDREW CONSTANCE:** Is it not somewhat ironic that Labor asks a question about the Cross City Tunnel? Talk about building something that no-one used! It was the only infrastructure project that Labor completed in its 16 years in office. And guess what? Nobody uses it.

**The SPEAKER:** Order! The member for Keira will come to order.

**Mr Mike Baird:** It was the only one they did not cancel.

**Mr ANDREW CONSTANCE:** As the Premier said, it was the only one they did not cancel.

**The SPEAKER:** Order! I call the member for Maroubra to order for the first time. He will stop shouting. I call the member for Keira to order for the first time.

**Mr ANDREW CONSTANCE:** Now, they suggest using the Cross City Tunnel as a mitigation strategy as we build more public transport.

**The SPEAKER:** Order! I call the member for Maroubra to order for the second time.

**Mr ANDREW CONSTANCE:** Let us be clear: We report our ministerial diaries for a reason. I note those opposite are still refusing to publish their diaries. One has to wonder what they are up to. It would be interesting to know who the Leader of the Opposition met with in the lead-up to the last State election. But, given the Premier did not address in his last answer the document that I was talking about before, I might, because it does relate to CBD light rail.

**Ms Linda Burney:** It is no wonder the member was demoted.

**The SPEAKER:** Order! That is not a point of order. The member rose to interject or to argue. I will not tolerate that. I call the member for Canterbury to order for the third time. If she does that again she will be ejected from the Chamber.

**Mr ANDREW CONSTANCE:** The question was about the central business district light rail project. I have with me one of my favourite election documents. It is entitled "A Better Way: Labor's Fully Funded Infrastructure Plan". It is a bit light on, but I draw the attention of the House to page 19 and the section entitled "Labor's Infrastructure Priorities ... Getting on with existing projects", which states:

... Complete the CBD and South East Light Rail Project

**Ms Noreen Hay:** Point of order: My point of order relates to Standing Order 129. There is absolutely no way that the Minister is addressing the question he was asked. He is nowhere near it.

**The SPEAKER:** Order! The Minister is being generally relevant. That is my decision and that is my ruling. I remind members on both sides of the Chamber that the Minister has the call.

**Mr ANDREW CONSTANCE:** I do. I know that members of the Labor Party are very excited about Transurban.

**The SPEAKER:** Order! I call the member for Wollongong to order for the second time.

**Mr ANDREW CONSTANCE:** They will simply have to wait until we publish our ministerial diaries.

**The SPEAKER:** Order! I call the member for Wollongong to order for the third time. The member for Port Stephens will cease interjecting.

**Mr Michael Daley:** Point of order—

**The SPEAKER:** Order! I rule that the Minister is remaining relevant to the question. That is all I can do; that is as far as I can go.

**Mr Michael Daley:** This House has a right to know today. It should not have to wait until ministerial diaries are published.

**The SPEAKER:** Order! That is not a point of order. The member is using this as an opportunity to get to the microphone and to argue with the Minister. The member will resume his seat. I call the member for Maroubra to order for the third time. Taking a point of order is not an opportunity to get to the microphone to argue with the Minister. Members should get that through their heads.

**Mr ANDREW CONSTANCE:** I will help out the member for Maroubra. If he were to consult the newspapers of a couple of weeks ago he would see that the Government has met with Transurban.

### REBUILDING NSW

**Mr DARYL MAGUIRE:** I address my question to the Treasurer, and Minister for Industrial Relations. How will the Government's plans to rebuild New South Wales increase infrastructure and grow the economy?

**Ms GLADYS BEREJIKLIAN:** I thank the good member for Wagga Wagga for his question. I know that this issue is of great interest to his community, which has benefited from his representations. Rebuilding NSW will go even further. The Government is pleased to report that it is working around the clock to act on the mandate it received from the good people of this State to rebuild New South Wales. The Government is looking forward to investing \$20 billion in new infrastructure that finally will address many of the challenges that have confronted this State for decades. We know already that the Government's plans to rebuild New South Wales will boost the economy by almost \$300 billion in just over 20 years and create more than 120,000 new jobs.

**Mr Clayton Barr:** Can you table that document?

**Ms GLADYS BEREJIKLIAN:** What does the member for Cessnock have against jobs? I say plainly and clearly to members opposite that it is not too late for them to do what is right by the people of this State and to support the major transformation that is about to happen in New South Wales. This debate has been going on for decades and now is the time to act. Members opposite have the opportunity to join the Government and, more importantly, the people of New South Wales who supported it at the recent election. I can only assume, given the Leader of the Opposition's bleating on the radio today about seeing the legislation, that the Labor Party has changed its position and that it will consider the bill before the House. Is the Labor Party changing its position? Is it willing to respect the mandate provided by the people of this State and to support the legislation? It is hard to pinpoint what the Leader of the Opposition stands for because he said one thing before the election and another thing after it. It is not too late for members opposite to support the Government.

I know that all members of this place privately support committing to provide more roads, more rail, more hospitals, more schools and other infrastructure, including sports and culture precincts. They also support providing vital water infrastructure in our regions. Every member supports those things. Of course, the way to deliver that is to lease a minority share of the State's electricity businesses. By so doing, we will be able to invest billions of dollars in improving the quality of life of every person in this State. I can hear all the interjections and I know that many members opposite are anxious about this issue. They respect democracy and they know what "mandate" means. They also know that they should respect our community by supporting this legislation.

**Mr Clayton Barr:** Point of order—

**The SPEAKER:** Order! What is the member doing with that dictionary?

**Mr Clayton Barr:** I ask the Minister to look at the definition of "mandate" versus "majority".

**The SPEAKER:** Order! So the member for Cessnock is now an English teacher? I do not think so.

**Mr Clayton Barr:** I am not as good as the Speaker.

**The SPEAKER:** Order! The member for Cessnock will resume his seat.

**Ms GLADYS BEREJIKLIAN:** The member for Cessnock should ask Michael Egan, Bob Carr, Paul Keating, Morris Iemma or Martin Ferguson. Members opposite say that they want to reduce power prices, but they will not support the Government's plans; they say they want infrastructure, but they will not support the Government's plans; they say they support jobs, but they will not support the Government's plans; they want more investment in regional areas, but they will not support the Government's plan. It is not too late. The Government calls on members opposite to do what is right by the people of this State.

**The SPEAKER:** Order! I call the member for Maitland to order for the first time.

**Ms GLADYS BEREJIKLIAN:** The Government asks members opposite to respect the will of the people.

**The SPEAKER:** Order! Members will come to order.

**Ms GLADYS BEREJIKLIAN:** I know this is hitting a nerve for many members opposite.

**The SPEAKER:** Order! All members who have been called to order on one or two occasions are now deemed to be on three calls to order.

**Ms GLADYS BEREJIKLIAN:** I call on the Leader of the Opposition to do what is right by his members.

*[Interruption]*

**The SPEAKER:** Order! That is charming! Opposition members spoke about members respecting each other. I do not know who made that comment, but it was most disrespectful.

**Mr Troy Grant:** It was the member for Maitland.

**The SPEAKER:** Order! It could have been. I remind the member for Maitland that she is deemed to be on three calls to order. She may not have heard me because she was interjecting, but I stated that all members on one or two calls to order are now deemed to be on three calls to order.

### **CBD AND SOUTH EAST LIGHT RAIL PROJECT**

**Ms LINDA BURNEY:** I direct my question to the Minister for Transport and Infrastructure. How much has been budgeted by the Government as compensation for losses experienced by businesses along George Street, Anzac Parade and surrounding areas during the construction phase of the CBD light rail? It would be great if the Minister could address the question.

**Mr ANDREW CONSTANCE:** Out of the three questions asked today by Opposition members that was probably the most sensible.

**The SPEAKER:** Order! I suggest that members, including Government members, listen to the answer before they start interjecting.

**Mr ANDREW CONSTANCE:** It is an important question because this Government is taking very seriously the concerns being raised, and particularly those being raised by tenants who are concerned about their businesses during the construction phase. We will soon release the construction schedule, which business owners have been requesting, to give them certainty as to when construction outside their businesses will be undertaken. The Government is particularly concerned about tenants because once these projects have been completed there should be an economic upside for the business owners and for the State.

The economic uplift expected as a result of this project is in the order of \$4 billion. There will be a transformation of George Street, which will become a pedestrian zone. The project will also tackle obvious

challenges across the city, because this project is not being built in isolation and a lot of other projects will happen at the same time. We will take the concerns of business owners very seriously. The Minister for Small Business is working with me on that and we are mindful—

**Mr Michael Daley:** Point of order: My point of order is relevance.

**The SPEAKER:** Order! This answer has been entirely relevant to the question.

**Mr Michael Daley:** The question was: How much money has been set aside? That was all that was asked.

**The SPEAKER:** Order! I know what the question was, and the Minister is being entirely relevant to the issue of George Street, light rail and its impact on tenants. I have been listening; perhaps members of the Opposition should listen also.

**Mr ANDREW CONSTANCE:** We have made it very clear that we will work with the business community. It is important to note that a lot of businesses across town have been very supportive of this project. Business leaders such as Patricia Forsythe of the New South Wales Business Chamber and leaders from the Property Council, the Retailers Association and Infrastructure Partnerships Australia also back this project. We will work with the business community through this tough project. We are not sugar-coating the complexity of the build. We have consulted directly with the affected business owners. Once the construction schedule has been released there will be significantly more communication about the schedule. As I said, we are open to working with the business community to help affected tenants.

### REBUILDING NSW

**Mr KEVIN CONOLLY:** My question is addressed to the Minister for Transport and Infrastructure. How will the Government's plans to rebuild New South Wales transform Sydney's transport network?

**Mr ANDREW CONSTANCE:** I thank the member for Riverstone for his question. This is an exciting day as this morning the tunnel-boring machine Elizabeth crunched through rock at the Showground Station on the North West Rail Link.

**The SPEAKER:** Order! If Opposition members are not interested in listening to the answer they should leave the Chamber.

**Mr ANDREW CONSTANCE:** This is the third of 10 breakthroughs on that project and is clear evidence that this Government is getting on with the job of transforming public transport in Sydney and across the State. It is not just in the north-west that this Government is building infrastructure, because we know congestion has Sydneysiders and the State by the throat. It costs the State some \$5.1 billion and is expected to cost the New South Wales economy almost \$9 billion by 2021. We have no option but to build transport infrastructure and that is exactly what our rebuilding plan does.

It is important to note that today's debate on the leasing of electricity poles and wires is key to delivering the funding necessary to build urban and regional public transport networks. Our plan reserves \$8.9 billion for urban public transport to support Sydney's growing population, which is expected to reach almost 6 million by 2031. We are also investing in the regions, with \$4.1 billion for transport in regional New South Wales to upgrade freight corridors, enhance and expand existing road and bridge programs, and improve regional rail. Our plan unlocks an extra \$7 billion for Sydney Rapid Transit to increase rail capacity by 60 per cent during peak hour, and move an extra 100,000 people every hour across Sydney. As I reflected earlier, the work has already begun. Together, the Sydney Rapid Transit and the Western Sydney Rail Upgrade program will deliver the benefits of the Government's investment for train customers in Western Sydney.

This is a package of major works to modernise and upgrade our existing double-deck network. By upgrading signalling and introducing an advanced train control system on the Western Line, the Government will unblock major bottlenecks in the network, and deliver more and faster services. Benefits include: cutting crowding on the T1 Western Line and on trains from the south-west; less platform crowding at Wynyard and significant reductions at other key stations such as Town Hall and North Sydney; and commuters getting from Bankstown to the city up to 10 minutes faster. Rebuilding NSW will also see an extra \$600 million in funds for

Parramatta Light Rail, bringing our total commitment to \$1 billion. We will reserve \$300 million for Bus Rapid Transit, for bus priority infrastructure upgrades and for bus corridors, which will include major routes such as Victoria Road and Parramatta Road, in addition to Northern Beaches Bus Rapid Transit.

**The SPEAKER:** Order! Opposition members should leave the Chamber if they are not interested in listening to the Minister's answer. They are being juvenile.

**Mr ANDREW CONSTANCE:** In contrast, those opposite have been cancelling projects. The Leader of the Opposition has revealed an expectation for the Government to tear up a \$2.1 billion contract, which would leave the people of New South Wales in the same position as the Labor Government of Victoria has left the people of that State, with a stain on that State. Ripping up contracts has economic consequences and if those opposite do not believe this is so, they should hear what countries are saying about this.

**Mr Luke Foley:** Why don't you defend the merits of running it down George Street?

**The SPEAKER:** Order! The Leader of the Opposition will come to order.

**Mr ANDREW CONSTANCE:** I am curious about the Leader of the Opposition because the shadow Minister for Transport has recently been on the radio. The member for Keira was on the radio talking about infrastructure last Friday. He said:

What we need is a continual flow of projects—

**Pursuant to standing order additional information provided.**

**Mr ANDREW CONSTANCE:** He went on to say, using very bad English:

We know that many of the congestion is caused by trucks just sitting there carrying goods, it's tradies being held up, it's a whole range of things that has an impact on the quality of life and the productivity of this state.

**Mr Ryan Park:** That's right.

**Mr ANDREW CONSTANCE:** Thanks, Scoop, we have worked out that cancelling projects is bad and yet those opposite are talking about cancelling stage 3 of WestConnex and central business district light rail. At the end of the day, this Government is building infrastructure whilst those opposite are talking about cancelling contracts. The Rebuilding NSW plan is key to unleashing the potential of this great State. I call on those opposite to do the right thing when the debate comes on later today and to back the poles-and-wires transaction to get on and rebuild New South Wales.

### **CBD AND SOUTH EAST LIGHT RAIL PROJECT**

**Mr RYAN PARK:** My question is directed to the Minister for Transport and Infrastructure. What impacts will the construction of the central business district light rail have on travel times between Coogee and the city along bus routes 373 and 374?

**The SPEAKER:** Order! The member for Keira asked the question and he should listen to the answer. The Minister has the call. There is too much audible conversation in the Chamber.

**Mr ANDREW CONSTANCE:** I again thank the member for Balmain for his interjection. There is absolutely no doubt that when light rail is built it carries 9,000 passengers an hour and leads to the removal of more than 200 buses from congested city streets, which will lead to an improvement for commuters challenged by congestion in this city. I urge the shadow transport Minister to look at the *Sydney Morning Herald* online because a story popped up only a couple of hours ago comparing catching a bus down George Street with walking. There is no doubt that this project, in conjunction with myriad other projects we are delivering, will improve travel times to and from the central business district. What those opposite fail to remember is that in about 10 years' time an additional 145,000 commuters will be coming in and out of the city every day.

The city's roads network is not working now and we have to take action. Labor is opposing a public transport project designed to improve travel times. As a result of this project we will see additional passenger capacity and we will see 220-odd buses removed from city streets. I am happy to reveal to the House the

average journey times that are expected as a result of the light rail project. It will be 15 minutes from Circular Quay to Central, 18 minutes from Randwick to Central, 19 minutes from Kingsford to Central, 35 minutes from Circular Quay to Randwick and 37 minutes from Circular Quay to Kingsford Smith.

**The SPEAKER:** Order! The member for Keira will cease interjecting and resume his seat.

**Mr ANDREW CONSTANCE:** I am sure the member for Coogee is happy to give those opposite a geography lesson as to which suburbs are in his electorate. We will see improvements as a result of the work the Government is doing. Those opposite are going to sit there for the next four years kicking, screaming and carrying on, but they have no track record. We are getting on with building CBD light rail in conjunction with myriad other projects around the city, including a new Barangaroo ferry and upgrades at Wynyard, Town Hall and Museum train stations; we are constructing the Wynyard Walk; and we will release a new bus timetable later in the year.

In one of the most exciting developments in this State's history, we will develop the largest urban rail project this city and this nation has ever seen—the commencement of the North West Rail Link, which will extend across the harbour, through to Sydenham and out to Bankstown. That is the type of change the community has been crying out for. We want to see more people getting onto public transport and being less reliant on our roads network. That is why we are investing in public transport in the way we are. I urge the shadow transport Minister to get on board.

### HEALTH SERVICES

**Mr CHRIS PATTERSON:** My question is addressed to the Minister for Health. How is the New South Wales Government rebuilding our hospitals and improving access to health facilities?

**Mrs JILLIAN SKINNER:** I thank the member for Camden not only for the excellent question but also for his wonderful representation of the constituents in his electorate. I also thank other members for their wonderful representation of their constituents, such as the member for Wollondilly, but this question relates particularly to Campbelltown Hospital as an example of how the Government is improving access to health facilities. In our last term of government, Campbelltown Hospital was one of the first major projects we began. We spent \$134 million on stage 1 of that hospital redevelopment, which provided, among other things, a new acute building, 90 new inpatient beds, an expanded emergency department, an expanded maternity department and an interventional suite including cardiac catheterisation. I am now pleased to say that with the money obtained from the lease of the poles and wires we can invest in stage 2.

**Mr Ryan Park:** When?

**Mrs JILLIAN SKINNER:** The member for Keira is interjecting. Does he not want the next stage of Campbelltown Hospital? Those opposite do not want the next stage of Campbelltown Hospital. This is a hospital that had no redevelopment in 16 years of Labor. We have completed stage 1 and we want to get on with the job of completing stage 2, but that lot opposite say, "Nix, nada, nope."

**The SPEAKER:** Order! I remind members that many of them are on three calls to order. I warn them that they will be removed from the Chamber if they continue to interject.

**Mrs JILLIAN SKINNER:** Members opposite are denying the people of Campbelltown and the broader Macarthur area—

**The SPEAKER:** Order! The member for Canterbury will resume her seat and stop talking to other members while the Minister is answering the question.

**Mrs JILLIAN SKINNER:** —\$300 million to continue the redevelopment, which will include a major boost to mental health services—

[*Interruption*]

**Mrs JILLIAN SKINNER:** Excuse me. I would have thought the member for Maitland would be interested in mental health services.

**The SPEAKER:** Order! I remind the member for Maitland that she is deemed to be on three calls to order. The Minister will be heard in silence.

**Mrs JILLIAN SKINNER:** —an expanded emergency department, additional operating theatres, an extended extensive care unit, additional renal dialysis facilities and enhanced cancer care. Those are the things that the people of Campbelltown will be denied because of the Labor Party's rejection of the lease of poles and wires. How shameful. Let us look at Rouse Hill—another population growth area of north-west Sydney.

**The SPEAKER:** Order! The member for Campbelltown will come to order.

**Mrs JILLIAN SKINNER:** We have committed additional funding to get on with the job of building a greenfield site hospital in that part of the world where there is absolutely massive demand because of population growth. The new hospital at Rouse Hill will be another very high-level hospital with an emergency department, operating theatres and inpatient wards—all the things one would expect of a major hospital for a growing population.

**The SPEAKER:** Order! The Treasurer will come to order.

**Mrs JILLIAN SKINNER:** Again, the Opposition is in denial and does not want that delivered for the people in that part of north-west Sydney. I enjoyed my time with the Premier and with local members when we announced the Rouse Hill hospital—there was much enthusiasm there.

**The SPEAKER:** Order! The member for Campbelltown will come to order.

**Mrs JILLIAN SKINNER:** Enthusiasm clearly not shared by those opposite.

**The SPEAKER:** Order! Opposition members will come to order.

**Mrs JILLIAN SKINNER:** It is not surprising perhaps, because last term we spent \$4.8 billion on health infrastructure; this term we promised \$5 billion and that is not counting the \$1 billion from the lease of poles and wires.

**The SPEAKER:** Order! I call the member for Campbelltown to order for the first time.

**Mrs JILLIAN SKINNER:** Why did those opposite reject the proposal? It is because they do not value investment in hospitals.

**The SPEAKER:** Order! I can hear the member for Campbelltown's voice too clearly.

**Mrs JILLIAN SKINNER:** Our \$10 billion plus over two terms is much more than Labor invested in one 16-year stint in office. No wonder our hospitals are run-down and need our attention.

**The SPEAKER:** Order! I direct the member for Maitland to remove herself from the Chamber until the conclusion of question time.

*[Pursuant to sessional order the member for Maitland left the Chamber at 3.06 p.m.]*

**The SPEAKER:** Order! The member for Londonderry will follow shortly if she continues with her raucous interjections, which are disorderly at all times.

**Mr David Harris:** Point of order: My point of order is under Standing Order 74. I know we can be disorderly on this side; however, the Ministers are being deliberately provocative and then members on this side of the House are being thrown out of the Chamber.

**The SPEAKER:** Order! There is no point of order. The member will resume his seat.

**Pursuant to standing order additional information provided.**

**Mrs JILLIAN SKINNER:** If the member for Wyong thinks that is provocative he had better wait for it. Over our last term and during this term of government we will invest a total of \$10 billion from

Treasury—an extra \$1 billion from the lease of poles and wires. Shame on those opposite—they should stop their nonsense. They should come to the party and support the people of Campbelltown and north-west Sydney.

**The SPEAKER:** Order! Opposition members will come to order.

### **CBD AND SOUTH EAST LIGHT RAIL PROJECT**

**Mr DAVID MEHAN:** My question is directed to the Minister for Transport. What impacts will construction of the CBD light rail have on travel—

**The SPEAKER:** Order! I cannot hear the question. I do not find it particularly amusing when Government members interject and show a lack of respect for the member when the member is asking his first question. The House will come to order and the member will be heard in silence. Government members will be removed from the Chamber if they continue to interject.

**Mr DAVID MEHAN:** My question is directed to the Minister for Transport and Infrastructure. What impacts will construction of the CBD light rail have on travel times for drivers commuting to the city and southern suburbs of Sydney from regional areas including the Central Coast?

**Mr ANDREW CONSTANCE:** I could not hear the question.

**The SPEAKER:** Order! I could not hear the question either. The member for The Entrance can ask his question again when Government members cease calling out. I call the Minister for Family and Community Services to order for the first time. I call the member for Kiama to order for the first time. The member for Orange is close to being called to order.

**Dr Hugh McDermott:** Start naming them.

**The SPEAKER:** Order! I have already done so and they are now on three calls to order. The member for The Entrance will be heard in silence.

**Mr DAVID MEHAN:** My question is directed to the Minister for Transport and Infrastructure. What impacts will construction of the CBD light rail have on travel times for drivers commuting to the city and southern suburbs of Sydney from regional areas including the Central Coast?

**The SPEAKER:** Order! Opposition members should listen in silence since one of their members asked the question.

**Mr ANDREW CONSTANCE:** The member for The Entrance talked about traffic. Back our billion-dollar plan for the Central Coast, mate. Turn up this afternoon, stick your hand up in the air.

**The SPEAKER:** Order! This is not a time for the member for The Entrance to argue.

**Mr ANDREW CONSTANCE:** A billion dollars for the Central Coast and he is going to vote against it this afternoon.

**The SPEAKER:** Order! The Minister will return to the leave of the question. Members will stop provoking the Minister. The member for The Entrance might be frustrated by this issue, but he should allow the Minister to answer the question.

**Mr ANDREW CONSTANCE:** Look at what has gone into the Central Coast and what the Government delivered to the Central Coast in terms of transport at the last election. In relation to train services we saw 105 extra weekly train services from the Central Coast to town and a new timetable. The member for The Entrance comes into this House and asks about CBD light rail. If the good member for The Entrance is concerned about commuters coming into town the Government has made no apologies for highlighting the fact that it will be a tough build and it will require people to better plan their journeys.

**The SPEAKER:** Order! The member for Bankstown will remove herself from the Chamber.

*[Pursuant to sessional order the member for Bankstown left the Chamber at 3.12 p.m.]*

**Mr ANDREW CONSTANCE:** Until these projects are built there will be significant disruption right across this city. There is not only this project but also some 70 projects happening across the city in the next five years which will transform Sydney. They will require the commuters from the Central Coast, the Illawarra and right across Sydney to better plan their journey times to and from the city. This Government will work to mitigate the effects of the construction build. We have said it will be tough and complex but we are looking for ways to ensure that we can mitigate the disruption caused by the construction. There will be some obvious challenges. We are going to encourage people to get to town earlier during the construction build and, if possible, leave town earlier. We want to improve the shoulders of the peak hour travel in order to improve the operations of the city.

We will continue to work through this process as we head towards the construction phase, which will commence later in the year. I urge all commuters who will journey to and from the city whilst this and the other projects are being built across the city to, as best as possible, plan their journeys. We will be communicating the effects of the construction build by using all technologies possible so the commuters on the Central Coast and elsewhere will be able to get real-time data about it. I urge everybody to work towards this project. I inform the member for The Entrance that we have got on with some terrific work in his region. It is a shame he has not seen fit to ask questions about it and I urge him to back the billion dollars that is coming to the Central Coast.

### PARRAMATTA SCHOOLS DEVELOPMENTS

**Dr GEOFF LEE:** My question is addressed to the Minister for Education. How will the Government's plans to rebuild New South Wales meet the future learning needs of our students?

**Mr ADRIAN PICCOLI:** It is incredible that three weeks into the sittings only one question has been asked of the Premier today by the Leader of the Opposition. We know the Leader of the Opposition was reluctant to take on the job prior to the election and now post-election we wonder whether he really wants it or not. We will see how this pans out. I expect Jodi to move down and Chris to move up in the next couple of years. We will see how that pans out. I am not sure he really, really wants the job. Not a single question about electricity privatisation today.

**The SPEAKER:** Order! Is the member for Strathfield seeking the call? With so many people wandering around and having conversations it is not satisfactory simply to stand up; you have to say "Madam Speaker" and seek the call. What is the member's point of order? It is very early on in the question to take a point of order.

**Ms Jodi McKay:** Point of order: I believe it would be more appropriate if the Minister did not call me by my first name in this Chamber.

**The SPEAKER:** Order! I uphold the point of order.

**Mr ADRIAN PICCOLI:** I apologise to the member for "Strathcastle".

**The SPEAKER:** Order! I ask the Minister to refer to members by their correct titles.

**Mr ADRIAN PICCOLI:** I mean Strathfield. It was a great day in Parramatta when, prior to the election, the Premier, the member for Parramatta and I announced a \$100 million school development in that great part of Western Sydney, Parramatta. It is \$100 million for two new schools—a high school and a primary school—in the heart of Parramatta that will be absolutely state-of-the-art. They can only be delivered because of the courageous and right decision by the Liberal-Nationals Government about the long-term lease of 49 per cent of the poles and wires business in New South Wales.

A mandate was delivered on 28 March to do precisely that because people in New South Wales can see the benefits of that long-term lease, particularly when we look at public infrastructure like hospitals and schools. It is a \$100 million investment in Parramatta. The high school will have space for 2,000 students and the primary school will have space for up to 1,000 students. Members should look at the best schools in the world and that is what they will see in the heart of Parramatta at these state-of-the-art schools. I know the community is very excited. The regions, of course, never miss out under a Coalition Government. Ballina will get \$40 million to rebuild Ballina High School. The merger of the great Southern Cross High School with Ballina High School into one absolutely state-of-the-art school will occur.

**The SPEAKER:** Order! There is too much audible conversation in the Chamber. The member for Port Stephens is on her final warning.

**Mr ADRIAN PICCOLI:** The inner city never misses out. Last Sunday's *Sun-Herald* published an article about The Nationals and comments about people who live in the inner city but The Nationals represent everyone. The Nationals Ministers are also delivering for the inner city a \$60 million high school in Cleveland Street, long sought by people in the inner city to cope with what is, indeed, a growing demand for public education places in New South Wales. It should be because the reforms we have introduced in New South Wales have made a great public education system in New South Wales even better.

I notice that the second part of the question was whether any other policy proposals were put forward? Labor promised a school every time they stepped out. I ask Labor Party members to put up their hands if a high school was not announced in their electorate—none. Every time we went somewhere and every time I woke in the morning and checked Google News a new high school had been promised—a new high school was promised for Bungendore, another one for Medowie, another one for West Dapto, another for Pottsville Beach, another one for Ryde, another one for Rutherford and another one for Maitland.

**The SPEAKER:** Order! I direct the member for Port Stephens to remove herself from the Chamber for one hour.

*[Pursuant to sessional order the member for Port Stephens left the Chamber at 3.19 p.m.]*

**Mr ADRIAN PICCOLI:** Labor promised a new high school on the Central Coast, not far from Wyong High School, which currently has 23 available teaching spaces and a capacity for 460 students. People trust the Liberals and Nationals to spend public money well. We have a great record over four years and with the Rebuilding NSW money we will continue to do precisely that.

**Question time concluded at 3.20 p.m.**

## **FOREST AGREEMENTS AND INTEGRATED FORESTRY OPERATIONS APPROVALS**

### **Amendment**

**The Speaker** announced the receipt, pursuant to section 69H of the Forestry Act 2012, of amendment No. 6 to the integrated forestry operations approvals for Lower North East, dated May 2015, received out of session on 25 May 2015 and authorised to be printed.

## **PARLIAMENTARY ETHICS ADVISER**

**The Speaker** tabled, pursuant to clause 6 of the resolution of the House relating to the Parliamentary Ethics Adviser, a:

- (1) Copy of correspondence from the Parliamentary Ethics Adviser enclosing advice provided to Mr Chris Hartcher, former Minister, dated 25 May 2015.
- (2) Copy of correspondence from the Parliamentary Ethics Adviser enclosing advice provided to the Honourable Andrew Stoner, former Minister, dated 25 May 2015.

## **PUBLIC ACCOUNTS COMMITTEE**

### **Government Response to Report**

**The Clerk** announced the receipt of the Government Response to Report 18/55 of the Public Accounts Committee entitled "Follow up of repeat recommendations from Auditor-General's 2013 Financial Audit Reports", received on 14 May 2015.

## **PETITIONS**

**The Clerk** announced that the following petitions signed by fewer than 500 persons were lodged for presentation:

### **Sydney Electorate Public High School**

Petition requesting the establishment of a public high school in the Sydney electorate, received from **Mr Alex Greenwich**.

### **Harris Street Walkway**

Petition requesting the reinstatement of the Harris Street walkway connection to the central business district and the upgrade of lighting on Darling Harbour walkways, received from **Mr Alex Greenwich**.

### **Elizabeth Bay Marina**

Petition calling for an open and transparent public tender process for development of the Elizabeth Bay Marina, received from **Mr Alex Greenwich**.

### **Companion Animals on Public Transport**

Petition requesting that companion animals be allowed to travel on all public transport, received from **Mr Alex Greenwich**.

### **Inner-city Social Housing**

Petition requesting the retention and proper maintenance of inner-city public housing stock, received from **Mr Alex Greenwich**.

### **Low-cost Housing and Homelessness**

Petition requesting increased funding for low-cost housing and homelessness services, received from **Mr Alex Greenwich**.

### **Same-sex Marriage**

Petition supporting same-sex marriage, received from **Mr Alex Greenwich**.

### **Pet Shops**

Petition opposing the sale of animals in pet shops, received from **Mr Alex Greenwich**.

### **Slaughterhouse Monitoring**

Petition requesting mandatory closed-circuit television for all New South Wales slaughterhouses, received from **Mr Alex Greenwich** and **Mr Jamie Parker**.

### **Pig-dog Hunting Ban**

Petition requesting the banning of pig-dog hunting in New South Wales, received from **Mr Alex Greenwich**.

### **Container Deposit Levy**

Petition requesting the Government introduce a container deposit levy to reduce litter and increase recycling rates of drink containers, received from **Mr Alex Greenwich**.

## **BUSINESS OF THE HOUSE**

### **Suspension of Standing and Sessional Orders: Order of Business**

#### **Motion by Mr ANTHONY ROBERTS agreed to:**

That standing and sessional orders be suspended at this sitting to:

- (1) Postpone the motion accorded priority to permit the introduction and the second reading speech on the Electricity Network Assets (Authorised Transactions) Bill, and cognate bill.
- (2) Permit the motion accorded priority to:
  - (a) be considered immediately after the adjournment of debate on the Electricity Network Assets (Authorised Transactions) Bill, and cognate bill; and
  - (b) conclude after 4.00 p.m.

**Pursuant to resolution government business proceeded with.**

**ELECTRICITY NETWORK ASSETS (AUTHORISED TRANSACTIONS) BILL 2015****ELECTRICITY RETAINED INTEREST CORPORATIONS BILL 2015**

**Bills introduced on motion by Ms Gladys Berejiklian, read a first time and printed.**

**Second Reading**

**Ms GLADYS BEREJIKLIAN** (Willoughby—Treasurer, and Minister for Industrial Relations) [3.23 p.m.]: I move:

That these bills be now read a second time.

Today the New South Wales Government takes another very important and historic step in delivering our Rebuilding NSW plan that will boost the economy and improve the lives of people right across this great State. We have demonstrated that we are a Government that delivers—a Government that does what it says it will do—and we have wasted no time in bringing to this place these initiatives that will positively impact and change our cities and our regions for the better. The legislation is being presented as two cognate bills. The Electricity Network Assets (Authorised Transactions) Bill 2015—or the transactions bill—will allow the Government to proceed with its election commitment to undertake a long-term lease of 49 per cent of the electricity network and deliver on its mandate to rebuild New South Wales by investing \$20 billion in new infrastructure. The Electricity Retained Interest Corporations Bill 2015 ensures the State's interests are protected into the future.

It is a privilege to introduce these bills and I want to acknowledge both of my predecessors who have made such a profound contribution to this legislation. I acknowledge also what a profound difference to this State and to the lives of the people of New South Wales this legislation will make. The Rebuilding NSW plan will boost the economy by around \$300 billion over the next 20 years and create over 120,000 new jobs. This \$20 billion investment in infrastructure will be funded and fast-tracked by recycling capital from the State's electricity businesses through the long-term lease of 49 per cent of the State's electricity network. Using the lease proceeds, rather than new debt, to pay for infrastructure allows capital expenditure to grow while containing the absolute growth in State debt. This reduces risk and importantly underpins the maintenance of the State's triple-A credit rating in accordance with the Fiscal Responsibility Act.

Leasing the 49 per cent share in the State's electricity businesses means billions can be invested up front to improve the quality of life of every person in this State, whether they live in our cities or in our regions. With the proceeds of the lease we will build roads, rail, hospitals and schools, together with other infrastructure, including for sports and culture, and vital water infrastructure in our regions. We will address the increasingly crippling impact of congestion, which will cost \$8 billion a year by 2020. Both our quality of life and the productivity of our workplaces will improve. To do nothing is not an option. Our roads and rail networks, our schools and hospitals, and our water infrastructure have not kept up with our growing population.

As mentioned, the Electricity Network Assets (Authorised Transactions) Bill 2015 authorises the Government to undertake a long-term lease of 49 per cent of the electricity networks, introducing private investment and management into TransGrid, Ausgrid and Endeavour. As we have outlined, Essential Energy will remain 100 per cent in Government hands. The 49 per cent is calculated based on the forecast closing regulatory asset base of the businesses on 30 June 2015, as set out in the final determination of the Australian Energy Regulator, published on 30 April 2015. I now refer to specific protections in the legislation and, firstly, to our price guarantee. Building on the Government's previous commitments, the transactions bill clearly outlines our commitment to lower electricity prices for consumers. The successful bidder must provide a guarantee that total network charges for the financial year ending 30 June 2019 will be lower than for the financial year ending 30 June 2014.

**Mr John Robertson:** How will you enforce it?

**Ms GLADYS BEREJIKLIAN:** If you listen you will learn.

**Mr John Robertson:** Who is going to enforce it?

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! I call the member for Blacktown to order for the first time. I call the member for Blacktown to order for the second time.

**Ms GLADYS BEREJKLIAN:** This guarantee is to be overseen and enforced by the price commissioner, who will report to the Government to confirm that the long-term leases will not put upward pressure on prices. Without the approval of the price commissioner, each of the three transactions will not proceed. The transaction bill confirms that the transaction proceeds will be directed to the Restart NSW fund and a Residual Liabilities Fund. The Residual Liabilities Fund will be established to hold funds to discharge any liabilities connected with a transaction under this Act.

The transaction bill allows for the transfer of employees to the employment of private sector entities with the terms and conditions contained in their enterprise bargaining agreements. Once transferred employees may continue to be a contributor to their existing superannuation fund, retain rights to annual leave, sick leave, extended or long service leave accrued or accruing immediately before the transfer. As announced by the Premier earlier this month, the lessees of 49 per cent of the "poles and wires" will be required to hold a licence. The licences will impose strict conditions on the electricity network businesses and protect the interests of the State and consumers. The licenses will: Give the State control over the suitability and capability of the network operators; require a continued substantial operational presence in Australia; and set conditions to manage business continuity and reliability, network performance and safety.

The Independent Pricing and Regulatory Tribunal [IPART] will be empowered to ensure compliance with all licence conditions, including safety and reliability standards. It will appoint inspectors for electrical installations and equipment and to investigate any serious electricity network accidents. Additionally, IPART will monitor compliance with a new Environmental Planning Code of Practice, to make sure that electricity network developments comply with certain environmental safeguards and community consultation requirements. Compliance with this code will be a licence condition. Breaches of the licence conditions and other obligations will attract maximum penalties that are much higher than those currently faced for some safety and other breaches. In some cases these penalties will be in excess of \$1 million.

The energy Minister and IPART will also be given new "step-in rights" should a breach of licence or electricity regulatory obligation threaten the safe, secure or reliable supply of electricity. Under the Minister for Industry, Resources and Energy's powers to step in and assume control of a business that has breached certain conditions of a licence IPART may become the network administrator and is to appoint a "step-in operator" until the Minister or IPART determines that it is no longer required. These additional protections exist over and above the already stringent regulatory framework that sets out the obligations of the network businesses regarding the safety and reliability of the network.

For example, there is already an obligation upon network operators to have an audited safety management system in place against which they measure and report on performance annually. These obligations will, of course, continue to be monitored and enforced. The existing regulatory framework includes incentives for distribution and transmission businesses to improve their level of service performance compared to historic outcomes over time, as well as penalties if their performance level deteriorates. The Electricity Retained Interest Corporations Bill 2015 will facilitate effective stewardship and oversight of the retained interest of the State in Ausgrid and Endeavour Energy. The bill makes clear how the State's retained interest will be managed and protected following the commencement of the lease.

To avoid potential conflicts of interest individual corporations will be constituted for each part of the retained interest—that is, one corporation for Ausgrid and another for Endeavour—to effectively manage potential conflict of interest by board members and safeguard commercial-in-confidence information. Each corporation will be an independent statutory corporation and the initial boards of governors will be appointed by the Treasurer. The corporations will retain veto rights on matters critical to maintain the value of the State's retained holding, such as with respect to change in the dividend policy or additional borrowings that would result in the credit rating of these businesses falling below an investment grade. Through these corporations the State retains effective stewardship and oversight of the relevant retained interest to protect the value to the State.

In summary, I reiterate that New South Wales has waited decades for this opportunity and we believe the time is right and the conditions are right. The Government has been prosecuting this case publicly for the last 12 months, including during the very robust process of an election campaign. We have the support of experts, highly regarded commentators from all sides of the political spectrum, as well as strong backing from the community, as evidenced by the election result. This is a once-in-a-generation opportunity for the people of this State. Whether for our citizens living in rural and regional areas or in our cities, everybody will be better off should we proceed with these transactions.

We simply cannot let this opportunity pass. We believe very strongly, as a Government, that we have the mandate, and we also believe it is our responsibility to do what is in the best interests of the people of this State. We do not take this responsibility lightly. Good governments make strong decisions and ensure the community has an opportunity to consider them, as has been demonstrated here. The Parliament and the public can be assured that we will continue to have this open conversation during the transaction process and, of course, during the delivery of Rebuilding NSW. We look forward to getting on with the job that the people of New South Wales have elected us to do. I commend the bills to the House.

**Debate adjourned on motion by Mr Luke Foley and set down as an order of the day for a future day.**

## **BUSINESS OF THE HOUSE**

### **Suspension of Standing Orders: Order of Business**

**Mr ANTHONY ROBERTS** (Lane Cove—Minister for Industry, Resources and Energy) [3.34 p.m.]:

I move:

That standing and sessional orders be suspended on Wednesday 27 May 2015 to permit:

- (1) The interruption of the business before the House at 12 noon for the resumption of the adjourned debate on the Electricity Network Assets (Authorised Transactions) Bill 2015 and cognate bill.
- (2) Any interrupted business to stand as an order of the day for a later hour.
- (3) The passage through all stages, at that or any subsequent sitting, of the Electricity Network Assets (Authorised Transactions) Bill 2015 and cognate bill.

**Mr MICHAEL DALEY** (Maroubra) [3.35 p.m.]: For the benefit of new members what is supposed to happen now with debate on the bill having been adjourned is that it should lie on the table for five days. The reason for bills lying on the table for five days is very simple. It is to give respect to every member of this House and to the people of the communities they represent by providing the opportunity to have a look at the legislation and to see what is in it. This is detailed and technical legislation, some 100 pages in total in cognate bills. Yet this Government has once again decided, as we knew it would, to ram this legislation through the Parliament. How did we know that this would occur and that this business would be transacted in this way? It is quite simple because the history of this Government over the past four years has a recurring theme and that is that arrogance and deception is the modus operandi; it is the order of the day for the way this business is transacted. The more significant the transaction and the bigger the question before the House, the more arrogance and greater deception associated with the transaction.

The first thing that would come to the minds of the people sitting in the gallery this afternoon is: What is the Premier hiding? The Premier would say, "Nothing, I am not hiding anything." But that would be subject to a qualification—hiding nothing except the details, that is all he is hiding. The Government has the hide to stand up here and claim a mandate. The Treasurer says we have been through a robust process. Before the election they said they were going to sell these assets, the biggest transaction in the history of the State, but what did they distribute to the people of New South Wales to inform them? Four pages: Rebuilding NSW. That is all the people of New South Wales had to go on before the election. That has been updated by the puerile slide show from the Premier when he deigned to appear before the upper House inquiry.

We know this Government has form. In the ports legislation some \$6.5 billion worth of gross transactions went through this place. That went very well. It went well for the Premier; he rammed the legislation through the Parliament and hid all the details. There were secret charges at Port Botany. We know there were secret charges at the Port of Newcastle. Port charges have gone through the roof. Contracts were hidden. All details were hidden. We have only to turn to page two of the lead bill to know that history will repeat itself because there is a simple section 3 interpretation where associated electricity network land means land owned by Roads and Maritime Services, Government Property NSW, Transport for NSW, RailCorp and local government land.

All of those associated lands will be gifted to the purchaser, to fatten the pig for sale—just like the Coalition did with the Port of Botany, and just as they did with the Port of Newcastle, where hundreds and hundreds of hectares of land went along with the sale in an associated amendment to planning to allow the new owners to do whatever they wanted. Here, with the biggest transaction in the history of this State, we know that the details are in a scoping study. But guess what? Who has seen the scoping study? No-one in New South Wales.

**Mr Anthony Roberts:** I have.

**Mr MICHAEL DALEY:** Well, you can make it public. The Parliamentary Budget Office asked for it during the election campaign; the Treasurer refused to provide it. The upper House select committee asked for it; the select committee was refused it. The Labor Opposition has asked for it in this place; the Parliament of New South Wales has been refused it. This Government is withholding from the people of New South Wales as many details as possible. The Premier—the man who said he was "bored" to appear before the upper House inquiry—is now behaving in the same manner and with the same arrogance: He is too bored to provide the details to the people of New South Wales and the Parliament. His behaviour ultimately will bring him undone. But we will have none of it. [*Time expired.*]

**Mr ANTHONY ROBERTS** (Lane Cove—Minister for Industry, Resources and Energy) [3.40 p.m.], in reply: It is laughable that the Labor Party should feign surprise that the Government has acted to bring forward this legislation in Parliament. These bills are the culmination of one of the most extensive debates in Australian political history. The bills before the House will allow the Government to deliver on the biggest commitment made by the Coalition during the election campaign. The bills will deliver on a detailed plan to rebuild New South Wales through the strategic leasing of 49 per cent of power distribution businesses, to release much-needed capital for infrastructure development. Unlike what those opposite did during their time in government—make midnight deals—this is not a transaction that has been sprung upon the public without a mandate. And we will not be proroguing Parliament to avoid scrutiny. We all remember Labor did just that.

This is a transparent and detailed proposal, taken to the electorate; and the electorate validated it through their strong endorsement of Coalition members of Parliament. It is a plan that has been heavily scrutinised, both during the campaign and after it, and one that has strongly withstood the mudslinging of those opposite. Do not take my word for it; the Premier publicly debated the Leader of the Opposition on live television. The Government detailed the proposal well before the election. We publicly advocated our clear position and we got the overwhelming endorsement of the electorate. That electorate included voters such as Michael Costa, Paul Keating, Morris Iemma, Bob Carr and Kristina Keneally.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! The Minister will be heard in silence. I direct the member for Shellharbour to remove herself from the Chamber.

[*Pursuant to standing order the member for Shellharbour left the Chamber at 3.42 p.m.*]

**Mr ANTHONY ROBERTS:** One other voter—one who has spoken here today—endorsed our proposal. That was none other than the member for Maroubra. And, of course, we are always happy to mention Martin Ferguson—in fact, we would be happy if he relocated to this great State. Even with the mandate that we received, we are happy for our proposal to be scrutinised yet again. Just weeks ago the Premier and the Treasurer fronted a Legislative Council committee inquiring into the proposal. Indeed, I can inform the House that the Premier spent an hour and a half at that inquiry and fielded some 110 individual questions. The Treasurer was questioned for 75 minutes, and answered more than 70 questions. The Government has answered 137 questions on notice from that inquiry. This Government therefore has a mandate to rebuild this State, and it is intent on doing so.

Members who speak in opposition to this bill and who vote against it will go down in history as voting to cripple this State. The people of New South Wales will not forget who voted against WestConnex, they will not forget who voted against Sydney Rapid Transit, and nor will they forget who voted against the Albion Park Rail bypass, Rouse Hill hospital, Campbelltown Hospital upgrades, new schools, new roads and more infrastructure. Those opposite will always be remembered by regional and rural New South Wales for voting no to \$6 billion in much-needed infrastructure for the bush. After facing an election, fronting an inquiry and being transparent in every part of this process, the Government is now ready to proceed. Our message to those opposite is: Wake up, respect our mandate, and let us get on with giving this State the future it deserves.

**Question—That the motion be agreed to—put.**

**The House divided.**

**Ayes, 50**

Mr Anderson	Mr Grant	Mr Provest
Mr Aplin	Mr Gulaptis	Mr Roberts
Mr Ayres	Mr Hazzard	Mr Rowell
Mr Baird	Mr Henskens	Mr Sidoti
Mr Barilaro	Ms Hodgkinson	Mrs Skinner
Ms Berejikian	Mr Humphries	Mr Speakman
Mr Conolly	Mr Johnsen	Mr Stokes
Mr Constance	Mr Kean	Mr Taylor
Mr Coure	Dr Lee	Mr Toole
Mr Crouch	Mr Maguire	Mr Tudehope
Mrs Davies	Mr Marshall	Ms Upton
Mr Dominello	Mr Notley-Smith	Mr Ward
Mr Evans	Mr O'Dea	Mr Williams
Mr Fraser	Mrs Pavey	Mrs Williams
Mr Gee	Mr Perrottet	<i>Tellers,</i>
Ms Gibbons	Ms Petinos	Mr Bromhead
Ms Goward	Mr Piccoli	Mr Patterson

**Noes, 36**

Ms Aitchison	Mr Greenwich	Mr Minns
Mr Atalla	Mr Harris	Mr Park
Mr Barr	Ms Harrison	Mr Parker
Ms Burney	Ms Haylen	Mr Piper
Ms Car	Mr Hoenig	Mr Robertson
Ms Catley	Ms Hornery	Ms K. Smith
Mr Chanthivong	Mr Kamper	Ms T. F. Smith
Mr Crakanthorp	Ms Leong	Mr Warren
Mr Daley	Mr Lynch	
Mr Dib	Dr McDermott	
Ms Doyle	Ms McKay	<i>Tellers,</i>
Ms Finn	Mr Mehan	Ms Hay
Mr Foley	Ms Mihailuk	Mr Lalich

**Pair**

Mr Elliott

Mr Zangari

**Question resolved in the affirmative.****Motion agreed to.****Pursuant to resolution consideration of motions to be accorded priority proceeded with.****CONSIDERATION OF MOTIONS TO BE ACCORDED PRIORITY****State Infrastructure**

**Mr JONATHAN O'DEA** (Davidson—Parliamentary Secretary) [3.52 p.m.]: This week marks the sixty-second anniversary of a monumental event that had enduring impacts. On 29 May 1953 Edmund Hillary and Tenzing Norgay reached the top of Mount Everest, the highest mountain in the world, standing at some 29,035 feet or 8,850 metres. It had long been considered unclimbable by some and the ultimate challenge by many others. Before Hillary and Tenzing reached the summit, two other expeditions came close.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! There is too much audible conversation in the Chamber.

**Mr JONATHAN O'DEA:** The Baird-Grant Government, with Treasurer Berejiklian in the climbing party, is about to conquer another Everest and deliver a \$20 billion plan to rebuild New South Wales and thereby turbocharge the economy with new productive infrastructure. Meanwhile, the Labor Party is scarred by the memory of its leaders who have had to turn back meekly, having had past infrastructure plans tied to electricity transactions. Bob Carr and Michael Egan tried valiantly but had to turn back. Morris Iemma likewise failed and died on the descent. Kristina Keneally barely got out of base camp before she led much of her party down a crevasse. In comparison, we have a new Hillary in Mike Baird, who will climb Mount Everest.

We have vision versus Labor's division. We are people delivering versus people who are dithering. We have members on this side of the Chamber who are builders and members opposite who are bulldozers. Of course, the member opposite is more a bull than a dozer. This Government has plans to create more than 100,000 jobs and to deliver downward pressure on electricity prices. This Government will boost the New South Wales economy by more than \$300 billion over the next 20 years. The Coalition will release capital by leasing the State's electricity businesses to facilitate projects that will improve our quality of life and ensure that we make progress now rather than in the future. This is an important matter and it deserves to take priority today.

### **CBD and South East Light Rail Project**

**Mr LUKE FOLEY** (Auburn—Leader of the Opposition) [3.55 p.m.]: If one were setting out to climb a mountain and the member for Davidson were the Sherpa, one would turn back. The CBD and South East Light Rail project between Central and Kingsford makes sense and enjoys the support of the Labor Opposition. What we do not support is extending the line down the north-south spine of the central business district [CBD]—that is, George Street. In 2012 Infrastructure NSW stated:

The narrowness of George Street may mean that a high capacity light rail service is fundamentally incompatible with a high quality pedestrian boulevard along this corridor.

That is the 2012 view of Infrastructure NSW, the Government's independent expert infrastructure adviser. That statement is on page 98 of its report. It said that solutions other than light rail down the spine of the CBD should be pursued. Nick Greiner, the chair of Infrastructure NSW when it was a body that had substance, stated:

Light rail down George Street does not work remotely well as a mass-transit activity ... To do something that runs the risk of gridlocking the CBD more than it already is, is a huge risk and you should not go there lightly.

However, the Government has chosen to ignore its independent expert advisers and plans to proceed in a cavalier fashion. Those who cannot remember the past are condemned to repeat it. Royal commissions have been held and reports have been produced since 1908 stating that trams should not run through the Sydney CBD because of the congestion they cause. A royal commission reported in 1909 that trams should be removed from the CBD because of the congestion they caused. Even John Bradfield, who knew a bit about transport planning, said the same in 1915, as did former Prime Minister Chris Watson in 1928. The commissioner for railways said it in 1938 and the Auditor-General said it in 1947. The Sinclair report, commissioned by Premier McGirr, said the same in 1948 as did the then Minister for Transport, George Enticknap, in 1959.

In 1961 a Labor Government removed the last trams from the Sydney CBD. We listened to the experts, yet the member for Willoughby thinks she knows more than royal commissioners, transport and other experts, and the chair and senior officers of Infrastructure NSW. That is why her successor, the current Minister for Transport and Infrastructure who has been thrown a hospital pass by his predecessor, would not defend the substantial policy the Government is pursuing. Not once today did the Minister defend the policy of sending light rail down George Street. He simply said, "I cannot change a contract". He will not defend the substance because he knows he has been thrown a hospital pass.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! I call the member for Tamworth to order for the first time.

**Question—That the motion of the member for Davidson be accorded priority—put.**

**The House divided.**

**Ayes, 53**

Mr Anderson	Mr Hazzard	Mr Rowell
Mr Aplin	Mr Henskens	Mr Sidoti
Mr Ayres	Ms Hodgkinson	Mrs Skinner
Mr Baird	Mr Humphries	Ms T. F. Smith
Mr Barilaro	Mr Johnsen	Mr Speakman
Ms Berejikian	Mr Kean	Mr Stokes
Mr Conolly	Dr Lee	Mr Taylor
Mr Constance	Ms Leong	Mr Toole
Mr Coure	Mr Maguire	Mr Tudehope
Mr Crouch	Mr Marshall	Ms Upton
Mrs Davies	Mr Notley-Smith	Mr Ward
Mr Dominello	Mr O'Dea	Mr Williams
Mr Evans	Mr Parker	Mrs Williams
Mr Fraser	Mrs Pavey	
Mr Gee	Mr Perrottet	
Ms Gibbons	Ms Petinos	
Ms Goward	Mr Piccoli	<i>Tellers,</i>
Mr Grant	Mr Provest	Mr Bromhead
Mr Gulaptis	Mr Roberts	Mr Patterson

**Noes, 33**

Ms Aitchison	Mr Foley	Mr Minns
Mr Atalla	Mr Harris	Mr Park
Mr Barr	Ms Harrison	Mr Piper
Ms Burney	Ms Haylen	Mr Robertson
Ms Car	Mr Hoenig	Ms K. Smith
Ms Catley	Ms Hornery	Mr Warren
Mr Chanthivong	Mr Kamper	Ms Watson
Mr Crakanthorp	Mr Lynch	
Mr Daley	Dr McDermott	
Mr Dib	Ms McKay	<i>Tellers,</i>
Ms Doyle	Mr Mehan	Ms Hay
Ms Finn	Ms Mihailuk	Mr Lalich

**Pair**

Mr Elliott

Mr Zangari

**Question resolved in the affirmative.****STATE INFRASTRUCTURE****Motion Accorded Priority****Mr JONATHAN O'DEA** (Davidson—Parliamentary Secretary) [4.08 p.m.]: I move:

That this House:

- (1) Acknowledges that the people of New South Wales delivered the Government a mandate for its \$20 billion plan to rebuild New South Wales.
- (2) Notes that the Opposition is refusing to support the Government's plan to bust congestion, boost productivity, create jobs and deliver benefits for generations to come.
- (3) Calls on the Opposition to vote with the people of New South Wales and support projects that will make a real difference to people's lives including: Sydney Rapid Transit; WestConnex; Albion Park Rail bypass; a hospital at Rouse Hill; redevelopment of Campbelltown Hospital; new schools in Parramatta; and investment in regional roads, health, education and water infrastructure.

On becoming the member for Davidson in 2007, I adopted a logo with three arrows representing the past, the present and the future accompanied by the phrase "Building for tomorrow". While valuing our past and

providing for today are important, it is with a vision for the future that a government and a Parliament can have most impact. In that respect, effective infrastructure planning and delivery are crucial. They can facilitate greater economic activity and productivity, better competitiveness, jobs growth and higher living standards.

A strategic approach to infrastructure is needed to plan funding and efficient delivery of the right infrastructure projects in a correctly prioritised order. We saw the results of infrastructure incompetence for many years during the term of the former Labor Government. The legacy of short-sighted moves can often be put off until a future electoral cycle, but ultimately it is the New South Wales public that risks seeing public infrastructure projects undelivered or mismanaged to the detriment of New South Wales as a whole. New South Wales Labor's past treatment of the North West Rail Link, the Rozelle Metro and the second Sydney airport particularly come to mind.

**Mr Andrew Gee:** The T-card.

**Mr JONATHAN O'DEA:** The T-card, indeed—we could go on. But fortunately we now have a highly competent government in New South Wales that realises how major cities around the world need to improve infrastructure, particularly as their populations grow. For large cities to be liveable and operational we need public transport, road systems and other infrastructure to at least keep up and, hopefully, keep ahead of population size and demographic changes. We need infrastructure, health, education and planning systems to accommodate that growth, and that cannot be achieved by doing nothing—the State would come to a standstill. That is what Labor seems to want for our State—an idling of the engine and for chaos to prevail.

We are putting our foot on the accelerator and we are continuing to move forward with clear planning, speed and positive direction. Labor had 16 years to deliver transport and other infrastructure services in New South Wales, but it did little. With our plan to deliver the largest infrastructure investment in Sydney's history in terms of usage, scope and integration we will get people where they need to go—faster and with less stress. We want them to spend more time with their families, have more recreational time and conduct business efficiently.

We want to see transport congestion resolved and addressed, as the Minister for Transport said in question time today. The people of New South Wales know that we need change; they want change and they voted for a continuation of the momentum they have seen in New South Wales from this Government over the past four years. Inaction on infrastructure is not an option; we want to continue delivering on infrastructure. We have heard repeated calls from Labor luminaries for us to move forward—I would go that far and I would go further.

**Mr Clayton Barr:** Name them.

**Mr JONATHAN O'DEA:** I can name two previous Labor Treasurers—Michael Egan and Michael Costa—who have said that the Labor Party should now support the mandate that was clearly given to the Baird Government at the last election. Michael Costa said:

Mike Baird has a clear mandate to implement his plans (and) Labor ought to support it.

Martin Ferguson, Morris Iemma—how many more can I name? It is clear that to enjoy a resurgence in the quality of life in New South Wales that we all deserve we need to rebuild New South Wales, and it is about time that Labor either get on and assist in that or get out of the way. We need to rebuild New South Wales.

**Mr MICHAEL DALEY** (Maroubra) [4.13 p.m.]: I hope the member for Davidson can muster up a little more passion in his reply than the tentative contribution we have just suffered for five minutes. As is the case with the entire transaction, what is missing from this motion is crucial detail. Earlier today I outlined in a suspension motion how flimsy the Government's claim is that it has a mandate for the sale of these electricity assets. There is a scoping study that contains all the relevant detail. That study was hidden from the Parliament, it was hidden from the parliamentary inquiry and it was hidden from the Parliamentary Budget Officer. In fact, when we asked the Parliamentary Budget Officer to cost the electricity transactions he put in writing a number of times to the Opposition that Treasury refused to release the scoping study into the electricity transaction.

If those opposite have done more to hide crucial detail from the people of New South Wales for probably the most significant transaction in the history of the State than they have done to provide them with

detail, they cannot walk into this place and, even with their fingers crossed behind their backs, claim to have a mandate. The Government has wrapped this motion in all the usual hype and hyperbole that attends this sort of discussion—its members keep rabbiting on about \$20 billion as if it is real. But the devil is in the detail and the detail is not here. I note with some amusement the phrasing of paragraph (2):

Notes that the Opposition is refusing to support the Government's plan to bust congestion ...

To the uninitiated observer, the Government's plan would be to talk, because that is all it has done for four years. The Government has been talking about the WestConnex in some form or another for almost four years. Yet the Auditor-General has told us that the planning of the WestConnex was subpar, that it did not come up to the expectations of a project of this size and scope—that it is just a dog's breakfast. Nowhere is any detail to be seen on the WestConnex. The cost of the project has gone from \$10 billion to \$11 billion to \$14 billion and it will soon be on its way to \$16 billion. It has had five route stages. Even though the Government has been talking about the first stage of the WestConnex for five years—the widening of the M4—it will not even release the environmental impact statement until October this year.

All the Government has done for four years is talk. The Government keeps telling us that the North West Rail Link is on time, ahead of schedule and on budget. We know that it is behind schedule. The North West Rail Link is emblematic of what this Government does. The project costs more than \$8 billion and the Premier has admitted that no business case was done for the WestConnex. With a benefit-cost ratio of 0.8, the Premier is asking the people of New South Wales to allow him to spend an additional \$8 billion to give the project a positive benefit-cost ratio. The Government claimed that the South West Rail Link, which was a Labor project, was on time and ahead of budget. The Auditor-General smashed that myth a few weeks ago. In relation to asset recycling, former Premier Nick Greiner said:

Mike has invented a marketing tactic to make privatisation palatable.

Like much of what this Government is proposing in respect of this transaction, it is just a gimmick, it is just a tricky sales tactic. The Productivity Commission also found that capital recycling was simply a useful mechanism to alleviate community resistance to privatisation and that decisions to privatise government assets and invest in new infrastructure should be separate. In relation to the dividends, last year the Government received in excess of \$2 billion in relation to dividends, incentive payments and TCorp guarantees.

These future dividends will not go to the people of New South Wales for essential services; they will be lost to the people of New South Wales. Instead, they will go to, potentially, a foreign government, but certainly a private enterprise, to fund their profits and they will not be returned to essential services such as teachers, nurses, hospitals and police in New South Wales. As UBS belled the cat during the election campaign—before it itself was belled—there will be a hole in the New South Wales budget. That point was made before the UBS got monstered by the Premier and his office.

**Mr MATT KEAN** (Hornsby—Parliamentary Secretary) [4.18 p.m.]: I thoroughly enjoyed the leadership audition by the member for Maroubra today. I thought it was stunning. It was the most animated I have seen him in four years in this place.

**Mr Christopher Minns:** Is this your audition for the front bench?

**Mr MATT KEAN:** I note the interjection from another leadership contender—my friend the member for Kogarah, who would be an outstanding leader one day in this place I am sure. The Labor right are all lining up. The member for Maroubra sees that the young buck from Kogarah—the rising star of the party—has his sights on the left-wing leader position and he is trying desperately to impress caucus with his credentials. He did a good job—I was impressed. But what I was not impressed by was exactly what the member for Maroubra was not impressed by.

The Leader of the Opposition said he would make the election a referendum on electricity privatisation. He said "bring it on". We did and the results speak for themselves. The mandate delivered was for the Government to deliver more schools, more hospitals, better roads and better public transport, and that is what the Government is getting on with doing. All members on this side of the House want better infrastructure. The member for Orange wants the Goanna Hill bypass realignment. Is that right?

**Mr Andrew Gee:** Realignment.

**Mr MATT KEAN:** To feed the goanna. The member for Oatley wants WestConnex. The member for Davidson wants the Northern Beaches hospital. The member for Hornsby definitely wants the NorthConnex project, which will fix Pennant Hills Road, the worst road in Australia as determined recently by Infrastructure Australia. It is not just Coalition members who want more infrastructure. Recently when I was in my car and stuck in traffic on Pennant Hills Road I listened to smoothfm and I heard the member for Keira.

**Mr Andrew Gee:** Another smoothie.

**Mr MATT KEAN:** It would be no surprise that the smoothest member of Parliament would be on smoothfm. I reckon he would be on it and appropriately qualified. He said that the findings from the Infrastructure Australia audit were concerning. I am glad someone from the Opposition is concerned that infrastructure is needed, but he is the only one. It is not only members on this side of the House who want more and better; it is also members on the other side of the House. They should put their money where their mouth is, stand up and be counted, and vote in support of this motion.

**Mr RYAN PARK** (Keira) [4.21 p.m.]: Picture my good friend the member for Hornsby, Minister Berejiklian's right-hand man, who knows they have the numbers, he is certain he will become a Minister, he goes in, he has all the numbers sorted—

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! The member for Hornsby has had his opportunity to contribute to the debate.

**Mr RYAN PARK:** The moderates are locked in, the crazy right are locked in, everyone is locked in and all she says is "I've just got to go for lunch." He asks "Who with?" "Baird". He was going to tell him it is all over, he has not a chance. He came out and boy oh boy, Magic Mike is the Premier and this bloke is never to be seen on the front bench again. I always love talking about infrastructure because it gives me an important chance to remind this place about what Labor did. Half the roads that Government members drive on each day were built by Labor governments. The rail lines that they use each day were built by Labor governments. Half the projects they claim were built by Labor governments. I am very proud of the Cross-city Tunnel, the Lane Cove Tunnel, the Eastern Distributor and the electrification of the railway line. In relation to infrastructure we are very proud.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! I remind the member for Keira that he is already on three calls to order. I ask the member for Keira to direct his comments through the Chair.

**Mr RYAN PARK:** We are very proud of our delivery of infrastructure, but let us talk about what is being promised with the sale of these electricity assets. The Government has not explained the small problem: the \$20 billion that it claims is not money in the bank. We need to understand that the Government is making promises with money it does not have. It is selling the house to pay the credit card. The Government does not have the money and has not found recurrent money, which is the money each year to fund the wages of nurses, firemen, police, teachers and workers at the Department of Community Services when it is ripping in excess of one billion out of the State budget. This is making promises with money the Government does not have. [*Time expired.*]

**Mr Andrew Gee:** Line up the three arrows.

**Mr JONATHAN O'DEA** (Davidson—Parliamentary Secretary) [4.24 p.m.], in reply: I was asked for the three arrows. I delivered the first, the member for Hornsby delivered the second and the member for Maroubra and the member for Keira delivered the third to themselves. It was most amusing to hear the member for Maroubra trying to take a different line to that which he clearly and once passionately advocated when he was in government, that is, for an infrastructure plan funded by electricity infrastructure transactions. He advocated very publicly for that on the floor of the Labor Party conference, and now he has to sheepishly take a different stance.

I predict that while I refer to Michael Egan and Michael Costa as former Treasurers, both named Michael, who advocated sensibly for the sort of things that this Government is doing, the member for Maroubra who is also a Michael will not hold the job of Treasurer because that side needs to change its tune, get on board and support the public of New South Wales who clearly have endorsed a program to rebuild New South Wales in a responsible way. There is no doubt that the member for Keira is very good at speaking but saying very little. In fact, he reminded me of a George Eliot quote, "Blessed is the man who, having nothing to say, abstains from giving wordy evidence of the fact." The member for Keira is the embodiment of that quotation. We heard again more empty words that did not say much. In contrast, the member for Hornsby referred to a whole range of

projects that this Government is delivering and wants to deliver that are being funded in part through a very honest, upfront plan that involves electricity transactions and that is where the overwhelming majority of the money will come from, that is, the recycling of public assets.

The Rebuilding NSW Plan has details of what will be funded: \$7 billion to the Sydney Rapid Transit, \$1.1 billion reserved for WestConnex, and Auburn southern extensions and the Western Harbour Tunnel, a Sports and Cultural Fund, \$4.1 billion for regional transport, \$1 billion for regional metro schools, \$1 billion for regional metro hospitals, \$1 billion for water security in regional communities and \$300 million reserved for regional tourism and the environment. This investment is only possible if we recycle assets. The Government is committed to putting the public interest first and that was endorsed on 28 March 2015 when we received a mandate. Let us improve the lives of the people in New South Wales and get New South Wales moving. If Opposition members do not support the Government, they should get out of the way.

**Question—That the motion be agreed to—put.**

**The House divided.**

**Ayes, 49**

Mr Anderson	Mr Gulaptis	Mr Roberts
Mr Aplin	Mr Hazzard	Mr Rowell
Mr Ayres	Mr Henskens	Mr Sidoti
Mr Barilaro	Ms Hodgkinson	Mrs Skinner
Ms Berejikian	Mr Humphries	Mr Speakman
Mr Conolly	Mr Johnsen	Mr Stokes
Mr Constance	Mr Kean	Mr Taylor
Mr Coure	Dr Lee	Mr Toole
Mr Crouch	Mr Maguire	Mr Tudehope
Mrs Davies	Mr Marshall	Ms Upton
Mr Dominello	Mr Notley-Smith	Mr Ward
Mr Evans	Mr O'Dea	Mr Williams
Mr Fraser	Mrs Pavey	Mrs Williams
Mr Gee	Mr Perrottet	
Ms Gibbons	Ms Petinos	<i>Tellers,</i>
Ms Goward	Mr Piccoli	Mr Bromhead
Mr Grant	Mr Provest	Mr Patterson

**Noes, 35**

Ms Aitchison	Mr Harris	Mr Park
Mr Atalla	Ms Harrison	Mr Parker
Mr Barr	Ms Haylen	Mr Piper
Ms Burney	Mr Hoenig	Mr Robertson
Ms Car	Ms Hornery	Ms K. Smith
Ms Catley	Ms Leong	Ms T. F. Smith
Mr Chanthivong	Mr Lynch	Mr Warren
Mr Crakanthorp	Dr McDermott	Ms Washington
Mr Daley	Ms McKay	Ms Watson
Ms Doyle	Mr Mehan	<i>Tellers,</i>
Ms Finn	Ms Mihailuk	Ms Hay
Mr Greenwich	Mr Minns	Mr Lalich

**Pairs**

Mr Baird	Mr Foley
Mr Elliott	Mr Zangari

**Question resolved in the affirmative.**

**Motion agreed to.**

**Pursuant to resolution government business proceeded with.**

**PUBLIC HEALTH (TOBACCO) AMENDMENT (E-CIGARETTES) BILL 2015****Second Reading****Debate resumed from 6 May 2015.**

**Ms MELANIE GIBBONS** (Holsworthy) [4.36 p.m.]: Today I speak in support of the Public Health (Tobacco) Amendment (E-cigarettes) Bill 2015. I support the measures outlined in this bill to ban the sale of e-cigarettes and the associated accessories to minors. Unfortunately, young people continue to be the target audience for e-cigarettes. This is why it is important that the New South Wales Government strengthens the legislation to protect them and help them make the right decisions for their future.

Tobacco laws do not currently prohibit selling electronic cigarettes to minors. The first provision will make it an offence to sell an e-cigarette or related accessory to a person under 18 years of age unless it is an approved product. Unfortunately, electronic cigarettes often contain nicotine even when they are not labelled as such. This poses a significant health risk for those using e-cigarettes even though they are marked as a healthy or safe alternative to smoking tobacco cigarettes. This bill seeks to ensure that only approved products are available for sale. This means they must be a registered therapeutic good or a device or accessory that is supplied under licence or authority under the Poisons and Therapeutic Goods Act 1966. However, it will protect proven "stop smoking" aids and ensure they are not affected by the ban on e-cigarettes.

Despite the risk of prosecution, e-cigarettes containing nicotine continue to be sold. This is why we are banning the sale of non-approved products and establishing a broad definition of e-cigarettes. The bill stipulates this will include any capture devices designed to generate or release an aerosol or vapour by electronic means for inhalation in a similar manner to the inhalation of smoke from a tobacco product. The prevalence of e-cigarettes is particularly concerning as e-cigarettes simply replace one bad habit with another. In fact, smoking is the leading cause of preventable death in Australia. We all know the health issues that smoking can cause. The research is damning and irrefutable.

The Cancer Council's I Can Quit service lists in its literature the following dangers: smoking kills half of all people who continue to smoke; at least one in four of those people die between the ages of 35 and 69; a smoker who does not quit loses on average 10 years of his or her life; smoking is responsible for about 85 per cent of lung cancers; smokers are 20 times more likely to develop lung cancer; smoking increases the risk of heart attack two to six times; smokers are 1½ to two times more likely to have a stroke—I am talking about the dangers of smoking and lung cancer yet there is mirth in the Chamber—smokers on average are more stressed than non-smokers; smoking causes premature skin ageing; and smokers are more likely to lose their teeth. There are even more consequences if people continue to smoke. The question is: Why should we support the use of an alternative that is unhealthy and can lead to long-term smoking habits in the future?

Because we all know that the longer you have a habit the harder it is to break. At present, it is not against the law to use them in indoor and outdoor public places where it is already against the law to smoke. While Australian society is moving closer towards a smoke-free environment, the emergence of e-cigarettes is working to undo all that. It is incongruous in light of the hard work done to stop smoking in public spaces, from workplaces to restaurants and outdoor playgrounds. It goes also against all the anti-smoking campaigns and education children are exposed to at school aimed at stopping them from taking up smoking in the first place, because, as I said before, the longer you have a habit, the harder it can be to break.

Unfortunately, the high prevalence of smoking is having a devastating impact on many culturally-diverse communities, with smokers at an increased risk of heart disease, stroke and many cancers. Furthermore, rates remain higher in various cultural groups where smoking is still far more socially and culturally acceptable. The rate of smoking in these communities dangerously exceeds the average of 14.7 per cent across the general New South Wales population. The smoking rate among Arabic-born men in New South Wales is 39.3 per cent, and 28.8 per cent in women, while 32 per cent of Vietnamese-born men and 20.3 per cent of Chinese-born men are also smoking. The health burden of these smoking levels is tremendous, with this deadly addictive habit the cause of many diseases, including cancer.

We need to do more to address this particular issue and design educational campaigns that target people from non-English speaking backgrounds and multicultural communities where smoking remains popular. Multicultural communities across New South Wales need culturally-relevant support and information to help them heed the anti-smoking message. These projects are about working directly with communities to offer support, information and cessation programs that are culturally meaningful, and will make a difference.

New South Wales continues to be a leader in tobacco control and has set a course of preventative action in the New South Wales Tobacco Strategy 2012-2017. The strategy outlines a comprehensive set of policies, programs and regulatory initiatives to achieve ambitious tobacco control targets in the Government's New South Wales 2021 Plan. These targets are: Reduce smoking rates by 3 per cent by 2015 for non-Aboriginal people and by 4 per cent for Aboriginal people; and reduce the rate of smoking by non-Aboriginal pregnant women by 0.5 per cent per year and by 2 per cent per year for pregnant Aboriginal women. The sweeping reforms introduced as part of the New South Wales Tobacco Strategy are already paving the way for real action on a community level.

This bill will make the penalty for selling an e-cigarette or related accessories to an underage person the same as that of selling a tobacco product to a minor. That is, a maximum penalty of \$11,000 for an individual and \$55,000 for a corporation for a first offence, and \$55,000 and \$110,000 respectively for second and subsequent offences. This sends a strong message to those sellers trying to target minors that this will no longer be condoned. As we quickly approach World No Tobacco Day on 31 May I am pleased to see the New South Wales Government taking the next step to help stop the illegal sale of e-cigarettes to minors and ultimately prevent further smoking habits from developing down the track. The old adage that prevention is better than cure rings true in this case and the more we can do to stop young people from starting to smoke the better chance they will have in the future. I commend the bill to the House.

**Mr TIM CRAKANTHORP** (Newcastle) [4.40 p.m.]: This bill makes it an offence for a person to sell an e-cigarette or e-cigarette accessory to a person under the age of 18 years unless it is an authorised product. Smoking is the leading cause of preventable disease and death in the State. It accounts for about 5,200 deaths and 45,000 hospitalisations a year. Nationally about 40 people die each day from smoking-related illnesses. Many people believe that e-cigarettes are a gateway to smoking. The 2014 World Health Organization report on electronic nicotine delivery systems described the main issues in terms of gateway and normalisation concerns as two potential circumstances: The possibility that children and generally non-smokers will initiate nicotine use with e-cigarettes at a greater rate than expected if e-cigarettes did not exist and the possibility that once addicted to nicotine through e-cigarettes children will switch to cigarette smoking.

The renormalisation effect refers to the possibility that everything that makes e-cigarettes attractive to smokers may enhance the attractiveness of smoking itself and perpetuate the smoking epidemic. E-cigarettes mimic the personal experience and public performance of smoking and their market growth requires marketing that is challenging commercial communication barriers that are erected to prevent the promotion of tobacco products. E-cigarettes are battery-powered vaporisers through which liquid, usually containing nicotine, is heated, vaporised and then inhaled. They are designed to mimic the act of smoking tobacco cigarettes, but without burning tobacco. The health and safety risks of e-cigarettes are not well understood.

In the absence of any high quality reference into the long-term effects of these products we on this side support strong action to protect children and young people. These products are manufactured in sweet confectionery flavours which are deliberately attractive to children. Some public health experts have raised concerns that these products are essentially a gateway to regular tobacco smoking. The sale of nicotine liquid for e-cigarettes and vaporisers is currently illegal. Large volumes of these cigarettes containing nicotine are currently imported from Asia and the United States. These liquids are generally bought by consumers online and in relatively small quantities making it difficult for authorities to track.

Labor accepts that an outright ban on e-cigarettes would not be realistic or practical. Labor went to the last election with a strong policy on this issue and we are happy to see the Government follow our lead but we would prefer the Government to take stronger action. The Government has taken too long on this issue. The Hon. Walt Secord will move amendments in the other place to restrict the use of e-cigarettes and vaping in enclosed spaces to more closely align regulation of e-cigarettes with tobacco smoking, and restrict the advertising and promotion of these products at retail outlets much like current laws governing tobacco sales. Queensland has already introduced legislation to limit the sale of these products and their use. Regulating e-cigarettes is imperative as smoking is still the most common preventable cause of death in the State. Even if e-cigarettes do not contain some chemicals present in tobacco smoke they still usually include nicotine, which is addictive and has a range of adverse impacts on health.

Most public health groups support action on this issue, including the Heart Foundation that has called on the Government to protect smoke-free places across the State. The Cancer Council of New South Wales position statement on e-cigarettes calls for the Government to regulate the sale and use in a similar way to tobacco products by banning the sale of e-cigarettes to children, which this Government is proposing to do; by

banning e-cigarette advertising in in-store promotion, including displays—which is what we propose to do in addition to what this Government is proposing—and restricting the use of e-cigarettes in outdoor and indoor areas where it is illegal to smoke tobacco products. That is an addition that we also support but the Government has not put forward.

These public health groups also believe we should be banning fruity, sweet and confectionery flavoured e-cigarettes and e-liquids, banning cigarette advertising in in-store promotions, which is what we are doing as well, and requiring businesses that want to sell e-cigarettes to register with the NSW Ministry of Health. Only this morning I was contacted on this subject by a local activist in the Cancer Council, Gary Rosevear, who emphasised it is a serious community health problem that needs our support. The downward trend in smoking, including smoking amongst young people, is a public health success story. It is understandable that public health professionals and others want to guard against any new innovation that might jeopardise the advances that have been made in this field.

The question is not whether e-cigarettes should be regulated but the degree of regulation required for e-cigarettes of all kinds, those containing nicotine and those not containing nicotine. Because they are currently unregulated their content can vary considerably, presumably with risks to the health of users. At the very least there is a case for establishing standards as to content. The case for banning e-cigarettes for minors is made in this bill. The argument for applying the same controls on advertising and promotion as applied to conventional cigarettes is made in the amendments that we, the Labor Opposition, propose, in this case for banning e-cigarettes in public places designated smoke-free areas. I believe the debate does have some way to go in New South Wales as in most other jurisdictions but this is a good start and I commend the bill with the amendments from the Hon. Walt Secord in the other place.

**Mr GARETH WARD** (Kiama—Parliamentary Secretary) [4.49 p.m.]: I support the Public Health (Tobacco) Amendment (E-cigarettes) Bill 2015. It will amend the Public Health (Tobacco) Act 2008, making it an offence to sell e-cigarettes and accessories, including e-liquids, to anyone under 18 years of age. Having campaigned for this change by directly raising my concerns with the Minister for Health prior to the election, I am extremely pleased that the Baird Government and the Minister for Health have now delivered in order to protect our children from the risks posed by e-cigarettes. I pay special tribute to the Heart Foundation, which raised this matter with me. I congratulate the Heart Foundation on the wonderful work it does in promoting healthy lifestyles. I was aghast when I was advised of this loophole, and I am pleased that the Minister indicated so quickly that she would seek to act upon the re-election of the Coalition to government. This is an important step to ensure children and young people do not fall into the potential trap of nicotine addiction and tobacco smoking.

In other countries we are seeing a sharp rise in the use of e-cigarettes by children and young people. There is no conclusive evidence that e-cigarettes help people to quit smoking, but there is concern that e-cigarettes pose potential risks to children, which is why this legislation is so critically important. E-cigarettes sometimes contain nicotine, without nicotine being declared on the label. The sale of liquid nicotine is banned in New South Wales unless there is an approval from the Ministry of Health or the product is otherwise lawful under the Commonwealth Therapeutic Goods Act. If the bill is successful, the offence will carry the same maximum penalty as the sale of tobacco products to a minor—which is \$11,000 for an individual or \$55,000 for a corporation; and for repeat offenders, \$55,000 for an individual and \$110,000 for a corporation. The Baird Government will, if appropriate, bring further legislation to regulate the use and sale of e-cigarettes.

Over the years, governments have had great success in reducing the incidence of smoking in our community. In fact, it was the Greiner Government that introduced the first set of public health regulations in relation to smoking in or near public buildings. I am very proud that my side of the House has a strong record in regulating this area to ensure a strong and resolute message when it comes to tobacco smoke. Through poignant advertising and awareness, fortunately, community attitudes on smoking have changed. Long gone are the days of lighting up inside public buildings or on public transport. Unfortunately, a new threat has emerged. The popularity and use of e-cigarettes is growing rapidly across the world, including among children and young people. The New South Wales Government has introduced the bill into Parliament to ban the sale of e-cigarettes and accessories to minors. We have acted quickly to do this to protect children and young people from the potential harms of buying and using e-cigarettes, and potentially falling victim to tobacco.

There is mixed evidence and uncertainty surrounding e-cigarettes. In the United States, e-cigarette use has increased substantially among children and young people in recent years. There is emerging evidence to suggest that young people who use e-cigarettes are more likely to use or intend to use tobacco cigarettes. That is

why banning the sale of e-cigarettes to minors is so important. Amendments have been proposed to section 23 of the Public Health (Tobacco) Act to ban the purchase of e-cigarettes by adults on behalf of minors, and to section 26 to allow the police to confiscate an e-cigarette product that is being used by a minor. Given the low level of use of e-cigarettes in Australia, this is unlikely to be a widespread issue. However, I agree that it should be clear that this community does not support minors using e-cigarettes, nor does it support adults buying e-cigarettes for minors. Both are addressed in this legislation; both are important measures aimed at discouraging the use of products that could lead to tobacco smoking.

The Government supports the amendment in order to futureproof the bill. This amendment is consistent with the Public Health (Tobacco) Act, under which it is an offence both to sell cigarettes to minors and to purchase cigarettes on behalf of a minor. The Act also allows the police to confiscate a tobacco product that is being used by a minor. I am sure all members of the House would agree that that is an important step. As New South Wales police enforce the section of the Act that allows confiscation of tobacco products from minors, the Ministry of Health will work with the Ministry of Police and Emergency Services to implement the amendment. Regulation of the sale of the e-cigarette and its accessories on the internet is a cross-jurisdictional issue and consideration must be given to the interaction with various laws of the Commonwealth. I note the member for Newcastle raised jurisdictional issues, and acknowledged that this measure is certainly a good start. We will continue to work with the Commonwealth and other States and Territories on this issue. It is appropriate that we do so.

We need to protect our children and this legislation does that. From here, the Ministry of Health will continue to monitor these issues. It is sad that statistic after statistic indicates that more and more younger people are being exposed to tobacco smoke—sad, because that can lead to more significant and serious drugs. It is appropriate when loopholes in the law are discovered that parliaments respond and act. I commend the Minister for Health, who has been strident in ensuring that the message to the community is unequivocally clear: Tobacco smoke is bad for your health, and tobacco smoke will kill you. So it is important that the Government act to protect minors. I would like to think that tobacconists operating prior to this legislation being carried would not engage in the sale of these products to minors. Perhaps that is a lofty ambition; but I hope that people's morals and ethics would override pure commercial interests. I thank the Minister and her office and staff, the Heart Foundation and all those involved in the preparation and presentation of this legislation. I commend the bill to the House.

**Mr ALEX GREENWICH** (Sydney) [4.55 p.m.]: I support the Public Health (Tobacco) Amendment (E-cigarettes) Bill 2015, which bans the sale of electronic cigarettes and accessories to minors and, following government amendments, will reduce children's access to electronic cigarettes. The rapid escalation in the growth of the electronic cigarette market presents major challenges. I have a number of constituents who are smokers and who use electronic cigarettes to get their nicotine hit, particularly inside late-night venues where going out to smoke could see them prevented from coming back in due to the lockouts. For this reason I understand some inner-city venues are now selling electronic cigarettes behind the bar.

I have a number of constituents who neither smoke nor use electronic cigarettes and are concerned about the health impacts of second-hand nicotine vapour from the growing use of electronic cigarettes in public. While I say their use is growing, we only have anecdotal evidence of this as we do not know how many users there are in New South Wales; evidence from overseas indicates an increase. Last year the Minister told me in response to my questions on notice in May that the 2014 Population Health Survey would collect information on e-cigarette use and I look forward to her providing information on this as it becomes available.

I share concerns about the use of electronic cigarettes and believe regulation is needed. It is appropriate to start by banning their sale to minors, but it will be difficult to ensure they do not get access to them. While new Government amendments will prevent children getting e-cigarettes from vending machines or from an adult, electronic cigarettes are widely available on the internet and I understand the online market is strong. It is easy to lie about one's age at online stores, and overseas retailers may not take adequate action to exclude under-age consumers. The sale and possession of liquid nicotine is illegal in New South Wales yet people buy it online, many unaware that they are doing something illegal. Addressing this challenge will require work with other jurisdictions.

There is no doubt from a quick Google search that electronic cigarette marketing is aimed at young people. Advertisements are reminiscent of tobacco campaigns from a bygone era with messages used to invoke glamour and individuality. Devices and vapour flavours are highly stylised. Flavours range from standard menthol or tobacco to slightly more designer, such as butter cookies and cinnamon apple; and to idiosyncratic

cocktail mixes, such as "Goodship Lollipop", which is mixed candy and starburst, and "Velvet Elvis", which is sweet and tender gummi bears, bubblegum and skittles. I share the concern that laws should go further to prevent marketing of electronic cigarettes to minors.

I support amendments proposed by the Opposition to limit the advertising, promotion and display of electronic cigarettes. There are claims that electronic cigarettes can help people quit smoking but this remains unproven. While State law bans the sale of e-cigarettes that make such claims, many smokers have come to believe that they can help them to quit and education is needed to inform people that this remains unproven. Interestingly, the big tobacco companies also own many electronic cigarette companies. The potential risks of electronic cigarettes have not been disproven. Could nicotine vapour devices normalise cigarette smoking? Could they worsen nicotine addiction, particularly if used in conjunction with tobacco smoking?

Of great concern are the reports that young people who do not smoke are taking up electronic cigarettes and may develop nicotine habits and addictions as a result. We do not know whether these people are likely to switch to smoking tobacco. We do not know the long-term impacts of prolonged use of electronic cigarettes. Nor do we know the impacts of exposure to second-hand nicotine vapour. Because there are no restrictions on where one can use devices as there are on tobacco smoke, the potential exposure to second-hand vapour is real.

I agree with the cautious approach taken by the Opposition and support its amendments to restrict the use of electronic cigarettes in public enclosed spaces. Protecting our smoke-free environments from nicotine vapour must be a priority. Most non-smokers will not want to breathe air contaminated with nicotine and other chemicals. Electronic cigarette components are not standardised and it is difficult to know what types and levels of chemicals are in them and how they affect health. I understand that there is also variability in vapour devices and have heard stories of faulty devices that have led to accidental ingestion of liquid, including liquid nicotine purchased online.

In response to my questions last year, the Minister for Health said that NSW Health was undertaking a hazard assessment of the use of electronic cigarettes, the potential impacts of inhaling particulate matter from emissions and chemicals found in liquids. I welcome this research and the Minister's commitment that regulation will be introduced where health impacts are identified. This bill is an important first step in regulating the use of electronic cigarettes, and I commend it to the House.

**Mr JOHN SIDOTI** (Drummoyne—Parliamentary Secretary) [5.01 p.m.]: I support the Public Health (Tobacco) Amendment (E-cigarettes) Bill 2015. This bill amends the Public Health (Tobacco) Act to prohibit the sale of e-cigarettes. This is a great move. Over the years we have seen governments achieve great success in reducing the incidence of smoking in this country. They have used various means, including targeted advertising campaigns. E-cigarettes are becoming increasingly popular around the world and regulators are faced with the challenge of responding to minimise their potential risks. Of course, there is no evidence to suggest that e-cigarettes help people to quit smoking.

This legislation aims to protect young people and children from the potential risks that may be associated with e-cigarettes. To achieve that it must make it difficult for minors to purchase them. Evidence from around the world, and particularly the United States, indicates a sharp rise in the use of e-cigarettes by children and young people. Usage has tripled among middle school and high school pupils in the United States. This is a warning to countries like Australia to do something about the potential problem before we, too, witness a surge in their use.

Under the new legislation it will be an offence to sell e-cigarettes or e-cigarette accessories to a person who is under the age of 18. Penalties will be the same as those applying to normal cigarettes; that is, \$11,000 for an individual, or \$55,000 for a corporation, and for repeat offenders \$55,000 for an individual and \$110,000 for a corporation. These penalties will not apply to legitimate stop-smoking aids. There are legitimate concerns that e-cigarettes could cause harm to people and NSW Health continues to monitor their use. If necessary, the Government will introduce further legislation to regulate their use and sale.

E-cigarettes pose a huge threat. In the early days, cigarette manufacturers promoted their use either not knowing or not advising people of the potential risks. I am glad that the Government has addressed this issue promptly by introducing this legislation. This bill responds to the need to act now to prevent minors from buying and using e-cigarettes. The Government has a responsibility to respond in a balanced way and proportionate to the potential risks and benefits of these products.

I commend the Minister for Health on her work in this regard. I am sure that she will continue to monitor the situation and will respond with further legislation if necessary. We must always respond promptly when children are at risk and act in their best interests. As the member for Sydney said, evidence of harm is not conclusive, but it is appropriate that the Government respond pre-emptively to protect children and young people from potential harm. I again compliment the Minister for Health on her work in this area. We must protect our children and this legislation does that. I commend the bill to the House.

**Ms JODI McKAY** (Strathfield) [5.04 p.m.]: I speak to the Public Health (Tobacco) Amendment (E-cigarettes) Bill 2015. This is a necessary response to the potential public health issues posed by e-cigarettes, particularly to young people. This issue was highlighted by both parties during the election campaign. While it is commendable that the Minister for Health has introduced this bill so quickly, it does not deal with all risks posed by e-cigarettes. From the outset, it is important to reiterate that a ban on e-cigarettes is not realistic or supported. The best way to think about this debate is to ask to what extent e-cigarettes should be treated like cigarettes. This is the policy context of the appropriate regulatory response to a potential new and significant public health issue.

E-cigarettes are battery-powered vaporisers through which liquid is vaporised and inhaled, mimicking tobacco smoking. E-cigarettes are a relatively new product that is experiencing a rapid increase in use and popularity in Australia and around the world. As the Minister noted in her second reading speech, e-cigarette use tripled among middle school and high school students in the United States between 2013 and 2014, which is cause for great concern. It is acknowledged that there are different views on e-cigarettes. Some see e-cigarettes as a gateway to normalising smoking behaviour, and others view them as a way to stop smoking. The Heart Foundation also acknowledges that this is a contested area, but states:

... our immediate and urgent concern is the growing use of e-cigarettes for recreational purposes by children and young non-smokers.

A responsible parliament must act to mitigate potential public health risks, especially risks to young people. It may be of interest to this House that the electorate of Strathfield has a high population of young people aged 15 to 24 years. Therefore, issues such as this are important to the people I represent in this place. The Public Health (Tobacco) Amendment (E-cigarettes) Bill 2015 amends the Public Health (Tobacco) Act to make it an offence to sell an e-cigarette or e-cigarette accessory to minors. This offence will carry the same maximum penalty as the offence of selling tobacco to a minor.

The bill also includes a broad definition of "e-cigarettes" and "e-cigarettes accessories" so as to capture any device that generates or releases an aerosol or vapour for electronic means of inhalation. The Minister has justified the Government's response to e-cigarettes given that they may "re-normalise tobacco smoking given the similarities between the two products", and that "we must continue to work to stop young people becoming addicted to nicotine and smoking". I emphasise these two points because they demonstrate a consistency in principle in the motivation behind the Public Health (Tobacco) Act 2008 and this bill.

In late 2008, the Labor Government introduced sweeping reforms in the Public Health (Tobacco) Act. I was honoured to have carriage of that legislation as the Minister Assisting the Minister for Health (Cancer). The new measures were designed specifically to prevent the exposure of children to tobacco smoke and to prevent the uptake of smoking by young people. Among other changes, the legislation banned smoking in cars when a passenger under 16 years of age was present, ended the advertising and promotion of tobacco products in retail outlets, and banned tobacco companies from sponsoring sporting and racing events. At the time I said that Labor was "committed to protecting children from the harmful effects of tobacco smoke and decreasing their exposure to tobacco products".

The principles underpinning that legislation are the same principles in play now. While the initiatives in this bill are commendable, these very principles guide me to conclude that it does not go far enough. The bans on smoking in certain indoor and outdoor areas removed the ubiquitous visibility of smoking as a way to de-normalise smoking behaviour. This has been proved to have contributed to a decrease in smoking rates since 2000, when the New South Wales Smoke-free Environment Act 2000 was introduced. This bill contains that loophole. E-cigarettes can be used on public transport, in hospitals and in places where children congregate, such as playgrounds. Smoke-free areas have been in place in Australia since the 1980s and the New South Wales Smoke-free Environment Act 2000 greatly extended the use of smoke-free areas. Nearly a whole generation has grown up without the ubiquity of smoking behaviour. We must not risk undoing this work.

This bill also applies only to sales. Children will continue to be exposed to the marketing and promotion of e-cigarettes. We know from the history of tobacco marketing that it successfully recruits children and young people as new users. Advertising, sponsorship of sporting events and product display in retail outlets were banned for tobacco products because of the strong evidence of their impact on recruitment of young people as smokers. There is already concern among public health groups that e-cigarettes are being marketed and promoted to children. E-cigarettes come in fruit flavours and are often displayed on shop counters in bright colours and appealing designs. The Minister said in her second reading speech that the smoking rate among secondary school students in 2012 was at an all-time low of 7.5 per cent. There is no doubt that there have been significant improvements and New South Wales has led the way. As a Parliament, we must continue do all we can to protect young people from harm. I commend the bill to the House.

**Mr GREG PIPER** (Lake Macquarie) [5.10 p.m.]: I make a brief contribution to debate on the Public Health (Tobacco) Amendment (E-cigarettes) Bill 2015. To my knowledge, the use of e-cigarettes is not widespread in my electorate and I hope it remains that way, especially in regard to their use by children. But as surely as night follows day—and as surely as the cigarette industry needs new customers—if we do not act early more and more young people will be drawn to this relatively new but potentially harmful product. Certainly since the Minister for Health introduced the legislation concern in my community about the spread of e-cigarettes, particularly among minors, has been sufficiently high to prompt a number of representations on this issue to my office, urging me to support restrictions on the sale of e-cigarettes.

The bill is an important first step in achieving that aim but it does not go as far as some in the community, including the Heart Foundation, would like. They would like to see e-cigarettes regulated in the same way as tobacco cigarettes, including a ban on their use in areas where smoking is currently not allowed, such as on buses and trains, and at schools and hospitals. I note that this is effectively what is being proposed as an amendment to the legislation in the Legislative Council by the Opposition spokesperson, the Hon. Walt Secord. I believe there is merit in this argument.

As the Minister noted in her second reading speech, there is no conclusive evidence to say whether e-cigarettes help people to quit smoking and there is a lot we still do not know about e-cigarettes. Given this background, I believe we should take a conservative approach to the marketing and use of these products, and apply the same standards and regulations to e-cigarettes as we do to tobacco cigarettes. Although there may be some value in the use of these products by people trying to give up or moderate their cigarette-smoking habit, I do not believe e-cigarettes should be marketed to new consumers nor passed off as a safe alternative to tobacco products. As a society we have made great advances in recent years in winding back the prevalence of smoking—a proven cause of, and contributor to, a raft of major health problems.

A big part of this process has been dismantling the advertising-driven image of smoking as glamorous and desirable. It would seem counterproductive, therefore, to allow the liberal sale and use of a similar product that promotes the very same culture we have worked so hard to discredit. Certainly, we do not want to give children the impression that smoking of any kind is desirable. That is why this legislation is important, but banning the sale of the products to minors does not necessarily limit their exposure to them. We do not want people to be smoking e-cigarettes on the bus next to minors or at the table next to them at a cafe. We do not want young people to see the smoking of e-cigarettes as normal, harmless or a cool thing to do. The jury is out on the safety of e-cigarettes but the National Health and Medical Research Council is concerned enough about the possible health risks to indicate in a statement released in March this year that health authorities should:

... act to minimise harm until evidence of safety, quality and efficacy can be produced.

It also notes that there is insufficient evidence to conclude whether e-cigarettes can help smokers to quit. Clearly, we must be cautious about the use of these products. The Minister has indicated that she will bring forward further legislation to regulate the use and sale of e-cigarettes if it is needed. This is appropriate, particularly if we see substantial recruitment to the product as minors cross the threshold to adulthood. This is sensible and proportionate legislation that addresses the potential health risks of this relatively new product. While there is some concern that the legislation could have gone further, I acknowledge this bill as a very important step. I acknowledge also the Minister and her staff for their work in this area. I support the legislation and I thank the Minister, who is in the Chamber, for bringing this matter forward.

**Ms JO HAYLEN** (Summer Hill) [5.14 p.m.]: I speak in support of the Public Health (Tobacco) Amendment (E-cigarettes) Bill 2015. E-cigarettes are a new kind of cigarette. Electronic cigarettes are battery-powered devices that heat liquid into an aerosol that is inhaled into a person's lungs. Unlike tobacco

cigarettes, where the smoke from burning tobacco is inhaled, the electronic cigarette user inhales into their lungs an aerosol that may contain nicotine, propylene glycol and other chemicals. E-liquids are often flavoured, with more than 7,000 flavours available such as tobacco, confectionery, fruit and even chocolate. They may or may not contain nicotine and may or may not be labelled as containing nicotine. E-cigarettes are not harmless, however, and the fact that they come in a variety of colours and enticing flavours means that they have added something exciting to the idea of smoking for young people that was not there before.

Encouraging the greatest single cause of premature death in any way should not be tolerated by any government. In New South Wales we have seen significant improvements as a result of stringent laws regarding tobacco cigarettes. We have seen a big decrease in the amount of secondary school-age smokers, from 27.5 per cent in 1984 to 7.5 per cent in 2011. Furthermore, nine out of 10 homes are now smoke-free. If we were to allow this new kind of cigarette to be exempt from these restrictions, I fear that we could see very different statistics in a couple of years. We must not allow an unravelling of all the good work that been done in smoking prevention. While e-cigarettes are now being used as a preventative measure by current tobacco smokers, there are still negative health effects that come as a result of their use. I think these are worth mentioning today.

Given that electronic cigarettes are unregulated and that e-cigarettes and liquids are often not labelled to a certain standard, it is hard to know exactly how much nicotine you are inhaling when using electronic cigarettes. Some e-liquids that do not list nicotine on the label have been found, after scientific testing, to contain nicotine. Nicotine is not something we should be encouraging anyone to use unless it is for therapeutic reasons. It is important that we pass this legislation in order to prevent young people from developing an addiction to such a dangerous chemical. Furthermore, while e-cigarettes have been designed and marketed as a means of reducing tobacco smoking by long-term cigarette smokers, it seems that their major take-up is among people who are not long-term addicted tobacco smokers. A survey in 2013 found that 15.4 per cent of smokers aged 14 years or over had used them at least once in the past 12 months. Given the current unregulated nature of e-cigarettes, this is an alarming statistic. E-cigarettes threaten to unravel all of the progress that we have made with our younger population.

I recently had the pleasure of meeting with Kerry Doyle, the Heart Foundation New South Wales chief executive, who informed me that there are numerous health concerns regarding e-cigarettes, but primarily that e-cigarettes have become a fad for young people, with very little regulation and few rules. The Heart Foundation knows the best way to ensure that we continue our hard-won reduction in smoking rates is to subject e-cigarettes to the same regulations as regular cigarettes. Regulation is important. Regulation is what has ensured our campaign against smoking has been so successful, and that a new generation of young people are educated about smoking and its effects.

That is why Labor intends to support this bill and has foreshadowed amendments that it intends to move in the other place. It is important that we regulate these cigarettes beyond just restricting their sale to minors. Labor believes e-cigarettes should be subject to the same restrictions as tobacco. This would mean that e-cigarettes could not be used in smoke-free areas, and that there will be restrictions on their advertising. The best way to continue our progress in reducing smoking rates and promoting a healthier society is to subject e-cigarettes to the same regulations as tobacco products. The amendments Labor will move will ensure that e-cigarettes have the same advertising restrictions as cigarettes. We know that there has been a huge reduction in smoking rates among young people, and our world-first plain-packaging legislation has been lauded around the world.

Labor also intends to ensure that we can continue to enjoy our smoke-free areas. Smoke-free zones have been a huge asset to public health and have ensured that families and non-smokers are able to enjoy public spaces without the threat of second-hand smoke. This bill and Labor's amendments will ensure that we continue to lead the world in declining smoking rates and that we continue to promote public health. We have made huge advancements in this area so far and must continue to lead the way. If not regulated properly, e-cigarettes have the potential to undermine these great achievements. I therefore commend the bill to the House.

**Mr JAMIE PARKER** (Balmain) [5.19 p.m.]: I make a brief contribution to debate on the Public Health (Tobacco) Amendment (E-cigarettes) Bill 2015. On behalf of The Greens I acknowledge the role of the Minister and her staff in bringing this matter forward. I also acknowledge the significant work of the Heart Foundation in analysing and addressing this issue. I refer in particular to the foundation's media release of 6 May in which it welcomes this bill. We acknowledge the effort that has gone into the development of this legislation and believe it is a very important part of the program to protect public health.

We support the Government's position because we are concerned that the sale of e-cigarettes could potentially re-normalise smoking. This is a great step forward in addressing what is an incredibly addictive product. But we want to ensure that e-cigarettes do not open the door to the normalisation or glamorisation of smoking or make it desirable in any way. We support the position put forward that this product be treated and managed in the same manner as tobacco. It appears that the amendments to be introduced by the Labor Party in the upper House may be supported and I signal the fact that we will also support those amendments.

I conclude by acknowledging that the Minister has listened to the issues that have been raised. Traditionally, Ministers oppose measures suggested by other parties. But in this case the Minister has listened very clearly to the issues because her focus is on ensuring the good health of the people of New South Wales. That deserves to be put on the record because in this place we do not acknowledge enough those members who do the right thing, especially when it is about improving legislation to protect people's health and to ensure that we do not let Big Tobacco get its foot in the door and glamorise smoking using these products. The Greens support the bill, which we commend to the House.

**Mr ANOULACK CHANTHIVONG** (Macquarie Fields) [5.22 p.m.]: I make a brief contribution to debate on the Public Health (Tobacco) Amendment (E-cigarettes) Bill 2015. A number of my colleagues have already mentioned the public health benefits of reduced tobacco consumption as well as the glamorisation and normalisation of e-cigarettes. This bill is an important part of an Australian, and indeed a New South Wales, tradition of ensuring that tobacco consumption in our community is not a normal habit, particularly among young people. Australia is a world leader in anti-tobacco legislation and policy. In 1991, according to the Australian Institute of Health and Welfare, the smoking rate was about 24.3 per cent for those over the age of 14 and now it is only 12.8 per cent. In 1991 the smoking rate for those aged over 18 was 25 per cent and now it is 13.3 per cent. That is a vast improvement, thanks to legislation and programs introduced by all levels of government to stop the glamorisation of smoking by removing advertisements that encourage smoking and by outlawing smoking in public places.

I saw the prevalence of e-cigarettes recently when I was studying in London. One could walk into a local Westfield store and see a stall selling e-cigarettes that anybody could purchase. That concerned me at the time and I hoped it would not be replicated in New South Wales. I know an amendment is to be moved in the upper House to ensure that e-cigarettes fall within the same category as normal tobacco. This is a wonderful step forward in making sure that public health is always at the forefront because tobacco consumption has public consequences. Tobacco consumption is a private action but it has public consequences for our health system and for our friends and family who are subjected to second-hand smoke. I look forward to more debate on this issue in the upper House and to support for the amendments, which will ensure that e-cigarette smoking does not become a normal activity, particularly among the young, and that more people do not take up harmful tobacco smoking. I commend the bill to the House.

**Mrs JILLIAN SKINNER** (North Shore—Minister for Health) [5.25 p.m.], in reply: I thank members for their support of the Public Health (Tobacco) Amendment (E-cigarettes) Bill 2015. I particularly thank the member for Canterbury, the member for Myall Lakes, the member for Cabramatta, the member for Holsworthy, the member for Newcastle, the member for Kiama, the member for Sydney, the member for Drummoyne, the member for Strathfield, the member for Lake Macquarie, the member for Summer Hill, the member for Balmain and the member for Macquarie Fields. This is a very important bill that will amend the Public Health (Tobacco) Act to ban the sale of e-cigarettes and e-cigarette accessories to persons under the age of 18. Breaches of the ban will be subject to the same maximum penalty as for the sale of tobacco products to a minor—that is, \$11,000 for an individual or \$55,000 for a corporation and, for repeat offenders, \$55,000 for an individual and \$110,000 for a corporation.

In addition, the bill amends the Act to make it an offence to purchase e-cigarettes, including via a vending machine, on behalf of a minor and will allow the police to confiscate e-cigarettes in the possession of minors in public places. The bill will also make changes to the Public Health (Tobacco) Act to apply the provisions in relation to tobacco vending machines, such as limiting the location of vending machines and regulating how such machines are operated. This is basically a procurement bill: It is about the purchase of e-cigarettes for, or on behalf of, minors. The amendment is an important element in the ongoing war against tobacco. The member for Macquarie Fields spoke about the smoking rates of young people in 1991. Although I was not a member of this House in 1991, I was the Director of Youth Affairs and I recall very well the Hon. Peter Collins, who was then health Minister, introducing a ban on smoking in public service offices. Everyone thought: Shock, horror, how can that ever be implemented? Can you believe that now? It was not so long ago.

E-cigarettes have grown in popularity internationally in recent years, which is why we have acted on this issue. There is considerable debate and concern in the community regarding how best to regulate these products and whether they represent a new opportunity to help smokers to quit or are a danger to our efforts to reduce smoking rates in New South Wales. However, we know now that e-cigarettes are not a product that children and young people should be using and it is important to act now to protect them from accessing these products. New South Wales governments—both Labor and Liberal-Nationals governments, with the assistance of the crossbenches—have made great strides in reducing smoking rates and preventing the uptake of smoking by young people.

The smoking rate among secondary school students in 2012 was at an all-time low of 7.5 per cent. That is still too high but it is a dramatic reduction in the rates of smoking from when this matter was first addressed. This is an impressive achievement that demonstrates the effectiveness of our tobacco control efforts in New South Wales. We need to protect these gains at all costs. We are seeing in the United States and in other countries across the world a sharp rise in the use of e-cigarettes by children and young people. This bill addresses the risk of a similar increase occurring in New South Wales. It will ensure that cigarettes cannot be sold to, or on behalf of, a minor.

The Government will continue to monitor the evidence regarding potential benefits and harms associated with e-cigarettes, and notes that further regulation may be required in the future. On 18 May 2015 an article written by Dr Simon Chapman from the University of Sydney was published in the *Medical Journal of Australia*. Dr Chapman is recognised as a world authority on tobacco control and therefore I was surprised by the article. It contained an interesting comment about the need to introduce this kind of legislation but to review it continually to ensure we get it right. Dr Chapman wrote:

A recent systematic review of the evidence on the health risk profile of ECs concluded:

Due to the many methodological problems, severe conflicts of interest, the relatively few and often small studies, the inconsistencies and contradictions in results, and the lack of long-term follow up, no firm conclusions can be drawn on the safety of ECs [electronic cigarettes].

Should the many hopes be realised that ECs do indeed pose minimal health risk and significantly assist in smoking cessation, future policy development in Australia will need to carefully consider how adult smokers wanting access to these products can best be facilitated without reversing the decades-long decline in youth smoking.

They are sensible comments worthy of consideration, and they explain why the Government has taken these incremental steps in the fight against tobacco use. On this occasion the Government has introduced legislation that addresses the procurement of cigarettes by minors. It bans their sale to, or on behalf of, minors and introduces quite stiff penalties should there be breaches. I commend the bill to the House.

**Question—That this bill be now read a second time—put and resolved in the affirmative.**

**Motion agreed to.**

**Bill read a second time.**

**Consideration in detail requested by Mrs Jillian Skinner.**

#### **Consideration in Detail**

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** By leave, I will propose the bill in groups of clauses and schedules.

**Clauses 1 and 2 agreed to.**

**Mrs JILLIAN SKINNER** (North Shore—Minister for Health) [5.32 p.m.], by leave: I move Government amendments Nos 1 to 4 in globo:

No. 1 **E-cigarette vending machines**

Page 3, schedule 1. Insert after line 25:

*e-cigarette vending machine* means a machine, device or contrivance from which e-cigarettes or e-cigarette accessories can be obtained by an operation that involves inserting money, or a token or object, into the machine, device or contrivance, whether or not some other action is required to activate the machine.

- [3] **Section 4 (1)**  
Omit the definition of *tobacco vending machine token*. Insert in alphabetical order:  
*vending machine token* means:
- (a) in relation to a tobacco vending machine—a tobacco vending machine token, or
  - (b) in relation to an e-cigarette vending machine—a token that is designed to be inserted into an e-cigarette vending machine to enable the purchase or supply of e-cigarettes or e-cigarette accessories from the vending machine.
- [4] **Part 2, Division 3, heading**  
Insert "**and e-cigarette vending machines**" after "**machines**".
- [5] **Section 12 Places where tobacco or e-cigarette vending machines may be placed**  
Omit "tobacco vending machine" wherever occurring in section 12 (1) and (2).  
Insert instead "tobacco or e-cigarette vending machine".
- [6] **Section 13 Operation of tobacco or e-cigarette vending machines to be controlled by staff**  
Omit "tobacco vending machine" where firstly occurring, "tobacco products or non-tobacco smoking products" and "tobacco vending machine token".  
Insert instead "tobacco or e-cigarette vending machine", "tobacco products, non-tobacco smoking products, e-cigarettes or e-cigarette accessories" and "vending machine token", respectively.
- [7] **Section 14 Regulation of product display on tobacco or e-cigarette vending machines**  
Omit "tobacco vending machine", "tobacco products or non-tobacco smoking products" and "form" from section 14 (1).  
Insert instead "tobacco or e-cigarette vending machine", "tobacco products, non-tobacco smoking products, e-cigarettes or e-cigarette accessories" and "form (if any)", respectively.
- [8] **Section 15 Responsibilities of occupiers for vending machines**  
Omit "tobacco vending machine" and "tobacco products or non-tobacco smoking products" wherever occurring.  
Insert instead "tobacco or e-cigarette vending machine" and "tobacco products, non-tobacco smoking products, e-cigarettes or e-cigarette accessories", respectively.
- [9] **Section 15 (4)**  
Omit "tobacco products".  
Insert instead "tobacco products, non-tobacco smoking products, e-cigarettes or e-cigarette accessories".

No. 2 **Purchase of e-cigarettes and e-cigarette accessories in connection with minors and e-cigarette vending machines**

Page 4, schedule 1. Insert after line 13:

- [6] **Section 23 Purchasing tobacco, smoking or vaping products on behalf of minors**  
Omit "tobacco product or non-tobacco smoking product" from section 23 (1).  
Insert instead "tobacco, smoking or vaping product".
- [7] **Section 23 (3)**  
Insert after section 23 (2):
- (3) In this section:  
*tobacco, smoking or vaping product* means any of the following:
    - (a) a tobacco product,
    - (b) a non-tobacco smoking product,

- (c) an e-cigarette that is not an authorised product within the meaning of section 22,
- (d) an e-cigarette accessory that is not an authorised product within the meaning of section 22.

**[8] Section 24 Supplying vending machine tokens to minors and activating tobacco or e-cigarette vending machines for minors**

Omit "tobacco vending machine" where firstly and thirdly occurring in section 24 (1) and wherever occurring in section 24 (2).

Insert instead "tobacco or e-cigarette vending machine".

**[9] Section 24 (1)**

Omit "tobacco vending machine token". Insert instead "vending machine token".

**[10] Section 25 Obtaining vending machine tokens on behalf of minors**

Omit "tobacco vending machine token" from section 25 (1).

Insert instead "vending machine token".

**[11] Section 26 Seizure of tobacco products, non-tobacco smoking products or e-cigarettes in possession of minors**

Omit "or non-tobacco smoking product" and "or non-tobacco smoking products" wherever occurring.

Insert instead ", non-tobacco smoking product or e-cigarette" and ", non-tobacco smoking products or e-cigarettes", respectively.

**No. 3 E-cigarette vending machines**

Page 4, schedule 1. Insert after line 16:

**[7] Section 58 Regulations**

Omit "tobacco vending machines" from section 58 (1) (d).

Insert instead "tobacco or e-cigarette vending machines".

**No. 4 Long title**

Insert "; and for related purposes" after "18 years" in the long title.

Members will be aware that the Government recently introduced the Public Health (Tobacco) Amendment (E-cigarettes) Bill 2015, which will ban the sale of e-cigarettes to children under the age of 18. It is an important bill that was supported by members who spoke during the debate; I presume it has widespread support. However, further consultation raised concern—particularly among those in another place—that the bill does not prohibit a person from purchasing e-cigarettes on behalf of a minor. This can be contrasted with the provisions of the Public Health (Tobacco) Act that prohibit the purchase of tobacco products on behalf of a minor. In addition, the Public Health (Tobacco) Act allows the police to confiscate a tobacco product that is being used by a minor.

While there is no evidence that this has been a problem overseas where bans on the sale of e-cigarettes to minors have been introduced, I recognise the concerns and therefore intend, through these amendments, to extend the prohibition on the purchase of e-cigarettes on behalf of minors. To that end, I am pleased to bring before the House amendments to the bill. The amendments will amend section 23 of the Public Health (Tobacco) Act to make it an offence for an adult to buy an e-cigarette on behalf of a minor, and sections 24 and 25 to prohibit a person from operating or using a vending machine that dispenses e-cigarettes on behalf of a minor.

In addition, amendments will also be made to division 3, part 2 of the Act to ensure that e-cigarette vending machines may be located only in limited areas, such as licensed premises, which will assist in ensuring that e-cigarettes cannot be purchased by children; and to section 26 to allow a police officer to seize an e-cigarette that is in the possession of a person under the age of 18. I am advised there is no evidence that people are purchasing e-cigarettes on behalf of minors or that any e-cigarette vending machines are operating in New South Wales at present. However, I support futureproofing the bill to ensure that the purchase of e-cigarettes on behalf of minors does not become a feature of our community. I commend the amendments to the House.

**Question—That Government amendments Nos 1 to 4 be agreed to—put and resolved in the affirmative.**

**Government amendments Nos 1 to 4 agreed to.**

**Schedule 1, as amended, agreed to.**

**Long title, as amended, agreed to.**

**Consideration in detail concluded.**

### **Third Reading**

**Motion by Mrs Jillian Skinner agreed to:**

That this bill be now read a third time.

**Bill read a third time and transmitted to the Legislative Council with a message seeking its concurrence in the bill.**

### **INDEPENDENT PRICING AND REGULATORY TRIBUNAL AMENDMENT (ACCREDITED STATE WATER REGULATOR) BILL 2015**

**Bill received from the Legislative Council, introduced and read a first time.**

**Second reading set down as an order of the day for a future day.**

### **PAYROLL TAX REBATE SCHEME (JOBS ACTION PLAN) AMENDMENT (EXTENSION) BILL 2015**

#### **Second Reading**

**Debate resumed from 7 May 2015.**

**Mr CHRISTOPHER GULAPTIS** (Clarence—Parliamentary Secretary) [5.37 p.m.]: I support the Payroll Tax Rebate Scheme (Jobs Action Plan) Amendment (Extension) Bill 2015. I say at the outset it is disappointing that the Opposition will be opposing the bill. However, I am not surprised because the Opposition does not support small business, regional jobs or any growth in regional New South Wales. That was clearly on display during the 2015 State election campaign when Labor introduced its "A Better Way: Labor's Fully Funded Infrastructure Plan". How was that going to be funded? It was to be funded by deferring the abolition of business stamp duty taxes until budget circumstances allowed. This was a 10-year plan so I presume the deferral would be for 10 years. How on earth can the Opposition create and stimulate business in regional New South Wales or anywhere when it imposes taxes on business? Small business is the lifeblood of regional communities yet the Opposition wants to impose a tax on small businesses and confine them to the scrap heap. That is a great shame.

The document explains the \$10 billion plan and the reasons that a fair share of asset sales proceeds will go to the regions and ensure water security. Labor's fair share was to be \$1.576 billion—15 per cent of \$10 billion to go to regional New South Wales, where 30 per cent of the population live. That is very fair as far as Labor is concerned. The Jobs Action Plan is an initiative the Government outlined in its 100 Day Action Plan when it was first elected in 2011. This scheme was introduced to rebuild the economy of New South Wales and to restore economic growth to communities by supporting, developing and providing opportunity for growth.

Since its inception the Jobs Action Plan scheme has been successful in encouraging businesses to employ more staff and to expand their operations. We saw a clear example of that in my electorate with the production of the *Gods of Wheat Street*, an ABC production that received funding through the Jobs Action Plan. The production was shot in the village of Coraki and in Casino. The production was very well received in the local community by devotees of the ABC and because it employed many local people.

To ensure the scheme is providing maximum benefit the Government has listened to businesses and strengthened the scheme by increasing the value of the rebate from \$4,000 to \$5,000 from 1 July 2013. It has

encouraged the retention of new staff by changing the payment instalments of the rebate, with \$2,000 paid on the first anniversary and \$3,000 paid on the second anniversary. In addition, businesses will no longer be required to repay the first year's rebate if the new staff member is no longer employed on the second anniversary. This bill once again demonstrates that the Government is listening to businesses. Given the success of the existing Jobs Action Plan, the Government committed in the election to extend the scheme for a further four years to 30 June 2019.

Since the New South Wales Government came to office, approximately 175,700 jobs have been created. Data on the Jobs Action Plan shows that up to the end of April 2015, 101,983 Jobs Action Plan registrations had been received. Rebates paid to date total around \$93 million. Jobs Action Plan registrations are well represented in both metropolitan and regional areas of New South Wales. Since the commencement of the scheme, more than 80,600 metropolitan registrations have been received, with more than 21,300 registrations in regional New South Wales. Western Sydney is well represented in Jobs Action Plan registrations. In fact, four out of the top 10 metropolitan local government areas are from Western Sydney.

Extension of the Jobs Action Plan scheme means employers can continue to hire additional staff and receive the benefits of the current Jobs Action Plan scheme. Under the scheme, payroll tax liable employers will continue to receive a \$5,000 payroll tax rebate for each additional full-time employee, with the rebate pro-rated for part-time employees based on the number of hours worked compared with the standard working hours of full-time employees. The rebate will still be paid in two payments, with \$2,000 paid on the first anniversary of the hire of the additional staff member and \$3,000 paid on the second anniversary of the hire of the additional staff. This bill accords with the Government's pre-election commitment to grow the New South Wales economy by enabling jobs growth. The scheme has been designed to meet the Government's commitment of reducing unnecessary red tape on businesses. It will make New South Wales more competitive and a more attractive destination for employers. I commend the bill to the House.

**Mr RON HOENIG** (Heffron) [5.42 p.m.]: I make a contribution to debate on the Payroll Tax Rebate Scheme (Jobs Action Plan) Amendment (Extension) Bill 2015. I state at the outset that I support the member for Maroubra, who led for the Opposition, in opposing the bill. I was not going to make a contribution, but during the last sittings of the Parliament I heard the Premier during question time ask the rhetorical question: Why would Labor oppose this bill? It is because Labor is anti-jobs. I will explain it in simple terms for Government members who, like trained monkeys, put their hands up every time the Premier tells them to. The payroll tax rebate scheme allows a rebate to be paid in two parts—\$2,000 for the first year and \$3,000 for the second year. The \$2,000 will encourage a small business operator to employ someone for a year at a cost of probably in the order of \$1,400 a week. The New South Wales Government will hand over \$40 a week to a small business operator to employ somebody for \$1,400.

If that person is employed for the following year, they will get \$3,000 or \$60 a week. Every member of this House knows that is just nonsense. Nobody is going to be able to afford to employ a full-time person by giving that person \$40 a week. That is the reality. Do I need to remind members that small business is responsible for 80 per cent of jobs in this State? It is a vital part of the State's economy; it provides employment opportunities for people throughout the State. However, 90 per cent of small business operators do not pay payroll tax. Payroll tax is a terrible tax that puts a brake on employment. I can remember that back in 1997 the great Gough Whitlam stood at the Opera House and promised that if elected he would abolish payroll tax and subsidise the States. Unfortunately, the Tories won and this insidious tax has remained.

Of course, it is a tax on jobs. If the member for Clarence listened he might learn something. If he thinks that earning \$40 a week will cause a high-end small business operator to employ somebody, he is dreaming. The reality is that 90 per cent of small business people will not be able to access this rebate. When the scheme was announced in 2011 the Government said that it would provide a rebate for the first 100,000 jobs created over a two-year period at a cost of \$400 million. As at June 2013 only about 20,000 applications had been received. The member for Clarence suggested that small business supports the scheme. I remind the House of some statements made by the New South Wales Business Chamber about the 2011-12 budget:

Feedback from our members has overwhelmingly indicated that the current scheme is ineffective and is not providing employers with any significant incentive to take on additional staff. We understand that take-up has been running at about 50 per cent of the expected rate; assuming this remains the case we estimate that closure of the scheme to new entrants from 1 July will free up around \$310 million from the initial \$400 million commitment.

The scheme is not universally supported by small businesses. I suggest that Government members, who are shrieking like banshees, learn from their Federal colleagues because at least in this year's Federal budget they

sought to target small businesses by offering them an incentive of a \$20,000 tax write-off, to apply from the date of the budget. It will not cost the Federal Government much because it is merely advancing the depreciation schedule. However, it was done to encourage small business operators to invest before the end of the financial year and invest again in the next financial year to create economic activity. At least the Federal Government has taken action to provide a benefit to the ordinary small business person, although economist Saul Eslake does not believe it will achieve that aim. Nevertheless, at least the Federal Government has targeted small business operators.

However, when talking about a \$400 million commitment, I believe there are better ways to generate employment in this State, particularly in the regions, which are dying. We supported the scheme in 2011 because we believed it should be given a chance, but the scheme has not worked. That money could be invested in proper employment schemes in the regions or invested in TAFE courses to enable people in the regions to obtain employment; to provide something that actually works. This \$400 million is just being thrown at a scheme that is not successful. Areas throughout the State are struggling to attract investment. The payroll tax rebate scheme does not work and Government members know that.

They know that \$40 a week will not allow a small business person to employ someone with on-costs of at least \$1,400. Members opposite can scream as much as they like; they know the scheme has no effect and that 90 per cent of small business people do not pay payroll tax. If the Tories think they are the great friends of small business, why did they remove the indexation from payroll tax? It is because they are trying to force even more small business operators into that payroll tax category over a period. There are reasons of substance that Labor is opposed to this bill: It will not be of benefit to small business to employ people. All it is designed to do is get a cheap headline in the tabloid press to give the impression the Government is actually doing something, and it is buying that headline at a cost \$400 million.

**Mr DAMIEN TUDEHOPE** (Epping) [5.50 p.m.]: When I first decided to speak on the Payroll Tax Rebate Scheme (Jobs Action Plan) Amendment Bill 2015 I thought it would be a reasonably anodyne speech on the basis that people would support this sort of legislation—it was a no-brainer. In my inaugural speech I said that I was proud to be a new member of the Baird Government because it was a government that recognised the importance of work and jobs. The infrastructure programs that it is embarking upon give great hope for the future because they are delivering new jobs to the families of New South Wales. The Baird Government is delivering the North West Rail Link when our opponents only talked about it. I was at the showground this morning and we saw Elizabeth, the tunnel-boring machine, emerge. It was a remarkable feat of engineering because of the expertise and skill of the workers who work on that project.

Unlike Labor, we have not promised projects that we have not delivered. No-one should ever forget the disgraceful approach to our economy that saw \$800 million spent on a light rail project at Rozelle, but not one job created and not one shovel in the ground. If further proof is needed to establish Labor's credentials as economic vandals one has only to look at the Victorian Government and its approach to infrastructure projects. That Government would rather pay money to overseas companies than put people in jobs. It is also a truism that those who find it hardest to get a job are those who are first entering the job market and who have no previous experience.

Lack of experience is often an impediment to giving someone a job if the business is impacted because valuable time is spent in training and supervising an inexperienced person. Surely the time must come when we abolish payroll tax. It is anathema to punish someone by imposing a tax for the sole purpose that they are successful and gave someone a job. It is a tax on employment. I turn to the criticism of the rebate, which has been launched, surprisingly, by the Opposition pretending to have an alternative. Following the Queensland election and in a ringing endorsement of New South Wales policy the Queensland Treasurer was reported as saying, in relation to a scheme that is represented as "Hire an Apprentice or Trainee—Get a Payroll Tax Rebate":

Queensland Treasurer Curtis Pitt said the Palaszczuk Government was wasting no time on delivering its promises to encourage bosses to hire apprentices or trainees. Speaking at the Queensland Media Club today, Mr Pitt said the Government was focused on delivering its commitments, to increase both employment and participation in the economy.

"We're hitting the ground running to ensure we deliver for Queenslanders", Mr Pitt said.

"During the first sitting of parliament we will introduce a bill to change the Payroll Tax Act so we can deliver our commitment to deliver a payroll tax rebate for employers when they hire an apprentice or trainee."

"Our pledge of \$45 million in payroll tax rebates will encourage employers to take on apprentices and trainees."

"Our commitment is to provide a 25 per cent rebate on the payroll tax on the wages of another employee when bosses hire an apprentice or trainee."

"This will encourage greater participation and give young people a foot in the door when youth unemployment remains stubbornly high."

So who is right on this issue, the New South Wales Treasurer and the Queensland Labor Treasurer or the ideologues opposite who attack a payroll tax rebate that is aimed at young people and designed to put them in jobs? If ever there was a betrayal of young people and their desire to work, this is it. Our opponents say that the correct strategy is to invest more in training and skills. This is the old fall-back position of Labor. Of course we should invest in skills and training, but to ignore the incentive offered by the payroll tax rebate is to enter the ring with one hand tied behind your back. The sensible thing would be for those opposite to admit they got it wrong and withdraw their opposition. The O'Farrell Government recognised this drain on business prior to the 2011 election and committed to the Jobs Action Plan. And as is typical of governments on this side, what we promise we deliver. The O'Farrell Government and now the Baird Government can rightly be called "promise keepers".

When the plan was introduced its goal was to restore economic growth by providing opportunity. Clearly, if there were an incentive to give a job starter a job accompanied by an incentive reducing the bottom line to the business then the take-up rate would be a boost to our economy and would help to deliver experienced workers into the growing economy. The result has been that since the Coalition came to office, around 175,700 jobs have been created. Data on the Jobs Action Plan shows that to the end of April 2015, 101,983 Jobs Action Plan registrations had been received. Rebates paid to date total around \$93 million. Jobs Action Plan registrations are well represented in both metropolitan and regional New South Wales. Since the commencement of the scheme more than 80,600 metropolitan registrations have been received, with 21,300 registrations coming from regional New South Wales. This bill accords with the Government's pre-election commitment to grow the New South Wales economy by enabling jobs growth and I commend it to the House.

**Mr DAVID HARRIS** (Wyong) [5.56 p.m.]: I make a contribution to debate on the Payroll Tax Rebate Scheme (Jobs Action Plan) Amendment (Extension) Bill 2015, and I endorse the comments of the member for Heffron. This bill will be opposed by Labor and the reason Labor is rightly opposed to the bill is that it just has not worked. It does not matter if you keep doing the same old stuff; you do not get any changes. This did not work before and it will not work now. The reason it is not working is that it is targeted wrongly. It does not help smaller businesses, particularly in regional areas. There is no incentive for them in this scheme to employ more people. We all know that when Electrolux fell over in Orange the Government targeted bigger business to try to help employees in that area when it should have given support to small businesses to employ people because, as has been said, they provide about 80 per cent of jobs in the State generally, and even more in the regions.

It is interesting that the Government says in this House that it is making New South Wales number one again, but scratch the surface of the CommSec report and we find that the reality is that, in terms of economic development—which one would think is a fairly important indicator—New South Wales is running only fifth of all the States, behind the Northern Territory, Western Australia, the Australian Capital Territory and Queensland, and running only fourth in completed construction work. So what we see and hear from the Government is a lot of bluster. The reality, particularly in the regions, is far, far different. I will put on record the actual job figures for regional areas.

**ACTING-SPEAKER (Mr Lee Evans):** Order! The member for Mulgoa will come to order.

**Mr DAVID HARRIS:** Regional members of Parliament should take notice of this because what the Government is doing in the regions to address unemployment is just abysmal. It promised 40,000 jobs in the Jobs Action Plan, but delivered 10,000—a quarter of what it promised for the regions. I am talking about the regions now, not the areas represented by city members of Parliament. When Labor left office in 2011 the unemployment rate in the Hunter was 5.8 per cent; it is now, according to the April 2015 figures, 10.1 per cent. Yet the Government is beating its chest and saying how good it is. In the Southern Highlands and the Shoalhaven, the unemployment rate when Labor left office was 6.2 per cent; it is now 9.6 per cent. In the Illawarra, it was 6.1 per cent under Labor; it is now 9.4 per cent.

In Coffs Harbour-Grafton, it was 4.3 per cent under Labor; it is now 9.3 per cent. In Newcastle and Lake Macquarie, the unemployment rate has gone from 4.9 per cent to 8.1 per cent. In the Central West, unemployment has gone from 6.4 per cent under Labor, to 7.1 per cent; and in the Richmond-Tweed, it has gone

from 5.1 per cent to 6.2 per cent. What a great record! How can the Government congratulate itself and say what a good job it is doing? The reason that the Jobs Action Plan is not working in the regions is the Government rolls out programs that are not targeted properly—under the same plan it now wants to extend—and they do not help the businesses that actually employ people in the regions.

It does not help them adjust where big businesses are leaving regional areas and there is a transitioning to smaller businesses. The Government needs to have a good hard look at how it can actually help regional people and regional economies—and that is not by extending its Jobs Action Plan, which has been an abject failure. We have found that demonstrated in the elections because in some regional areas swings against the Government exceeded 20 per cent.

**Mr Adam Marshall:** Not in our patch—nowhere near it.

**Mr DAVID HARRIS:** Across the Central Coast, the Illawarra, the Hunter and other regional areas and in the country there were big swings against the Government, because people out there know that this Government is all about Sydney; it is not about regional areas. This Government fails to understand that it is structurally creating a two-paced economy: one economy in some parts of Sydney, but in regional areas and in parts of Western Sydney—

**ACTING-SPEAKER (Mr Lee Evans):** Order! The member for Clarence will come to order. The member for Blacktown is sailing close to the wind.

**Mr DAVID HARRIS:**—it is creating the opposite: high unemployment and fewer opportunities for people through its attacks on TAFE. The Government is putting together these packages to make sure its big business mates have more money in their pockets, rather than targeting incentives at those who can really make a difference—the smallest businesses in regional areas. If the Government were serious, it would support newsagents and it would support regional racetracks, policies that we took to the election. It would certainly make sure that there are incentives for the smallest businesses, those who employ 80 per cent of the workforce, to ensure that they can employ people more easily, and give them benefits for doing so. The Government may crow about its failed scheme—a scheme that has not gone anywhere near creating the opportunities that it said it aimed to deliver—and it may crow about New South Wales being number one again, ignoring the facts and figures about economic growth and building completions. But the reality is that there are fewer jobs in the regions. Quite frankly, the attitude of those opposite today indicates that they simply do not care.

**Mr ADAM MARSHALL** (Northern Tablelands) [6.04 p.m.]: I never fail to be amazed by the lack of logic of members opposite that is evident in many debates about issues involving regional New South Wales. I and my colleagues support the Payroll Tax Rebate Scheme (Jobs Action Plan) Amendment (Extension) Bill 2015 because the Jobs Action Plan is a scheme that works—for people in country areas and for businesses. Since the scheme started in 2011, there have been more than 21,300 registrations for this scheme.

**Mr Christopher Gulaptis:** How many in your area?

**Mr ADAM MARSHALL:** We have had more than 200 registrations for this scheme in the Northern Tablelands in the past two years.

**Mr Christopher Gulaptis:** Name them.

**Mr ADAM MARSHALL:** I could name them all, but I will name a number of them as the member has invited me to do so. I refer the House to Boss Engineering.

**ACTING-SPEAKER (Mr Lee Evans):** Order! There is far too much audible conversation in the Chamber. I will not hesitate to have a member removed for the rest of the day if it persists.

**Mr ADAM MARSHALL:** We have heard from members opposite that they resist this bill to extend the Jobs Action Plan because, they say, the scheme does not work. I invite Opposition members to come with me to Inverell to talk with the directors and owners of Boss Engineering, a company that started in 2007 and now boasts almost 80 employees who have benefited greatly from the payroll tax rebate scheme through the Jobs Action Plan.

**ACTING-SPEAKER (Mr Lee Evans):** Order! The member for Clarence will come to order.

**Mr ADAM MARSHALL:** That company has won several New South Wales Business Chamber and local chamber awards. It is a business that is just about to undertake another expansion on its new premises. While those members are in Inverell, they can come with me to Bindaree Beef, an abattoir that employs nearly 700 local people.

**Mr Christopher Gulaptis:** How many?

**Mr ADAM MARSHALL:** Seven hundred. Bindaree Beef is about to expand again in the next 12 months, adding an extra 115 employees to its workforce. It will be one of the biggest employers in the region. It will benefit again from this scheme if this legislation passes. If it does not, the owners and employees of Bindaree Beef can look at those opposite and ask why they denied them payroll tax rebates; why they denied the company the opportunity to grow its business and receive assistance. When we have finished at Inverell, we can go to Guyra—to the tomato capital of New South Wales—and visit Costa's tomato farm, which already boasts employment of nearly 300 people.

**Mr Christopher Gulaptis:** How many?

**Mr ADAM MARSHALL:** It employs nearly 300 people—the biggest employer in Guyra. That business, which has already benefited from the payroll tax scheme, is now undertaking a massive expansion—a doubling—of its facility. In the next 12 months it will employ an additional 200 full-time employees at that facility. How has it been able to do that? It is because the business has received assistance through this scheme. This business will continue to expand.

**ACTING-SPEAKER (Mr Lee Evans):** Order! The member for Clarence will come to order.

**Mr ADAM MARSHALL:** I invite the Opposition to reconsider its position on this legislation—to think about the people and the employees in Inverell at Boss Engineering, at the Bindaree Beef abattoir, and those at Costa's tomato farm in Guyra, as well as the people and employees at other businesses throughout the Northern Tablelands electorate which, unlike the regions that the previous member spoke about, are truly in country New South Wales. The Opposition should have a look at how those businesses are growing and wanting to expand, how they are contributing to the economy of our electorate, which is growing, and the fact that the population of our electorate continues to grow, bucking the trend.

This payroll tax rebate scheme is one of a suite of schemes that is helping communities grow. The Regional Industries Investment Fund is another scheme that this Government has put in place and is benefiting many country communities. This legislation deserves the support of this House because it is growing jobs, helping businesses grow, helping people to earn a pay packet and putting food on the table. That is particularly so in country New South Wales, which people on this side of the House, unlike those opposite, are very passionate about. I wholeheartedly commend this bill to the House.

**Ms JENNY AITCHISON (Maitland) [6.09 p.m.]:** I oppose the Payroll Tax Rebate Scheme (Jobs Action Plan) Amendment (Extension) Bill 2015. This bill does little or nothing to assist employers who are struggling to pay payroll tax and it does not create enough jobs to deal with rising unemployment. It is interesting to hear members opposite talk about being number one when it is clear that they are number one in only one respect—that is, creating unemployment. Unemployment has more than doubled in the Hunter since this Government came to office.

The Government represents itself as the champion of small business, but this bill offers no help to small businesses. Members opposite might be former bankers, lawyers or employees of multinational corporations, but they have little empathy for, or experience of, small, bread-and-butter businesses. Those who heard my inaugural speech will know of my 17 years of experience growing a small business from a mum-and-pop shop to a company comprising three distinct small businesses employing more than 25 people. I have been an award-winning business owner.

*[Interruption]*

Mr Acting-Speaker, will you please stop these outrageous interjections? I am an undoubted supporter of small business. The problem is that payroll tax is a tax on jobs and businesses are required to pay it whether or not they make a profit. The threshold these days is low, and particularly when a business comprises three distinct entities, as mine did. Such companies or those engaging a number of professional staff rapidly hit the threshold.

Small businesses are run by hardworking mums and dads. I know of many small business owners who during the global financial crisis reduced their own wages to subsistence level to retain jobs in their local community. They deserve a real hand and not the pretence that this Government is offering. The legacy of John Howard's goods and services tax is that our State Government does not get enough money from the Federal Government. It is no secret that that legacy means that neither State Liberal nor Labor governments are in a position to abolish payroll tax, which hits our small business sector particularly hard. Once a business reaches the threshold, payroll tax is payable on the whole payroll. Members opposite probably do not know that; they probably have not reached the threshold in their businesses. Have they ever run a business?

The idea behind this bill is that a business will incur a payroll tax liability only when it employs more people. However, it will also apply when employers increase their employees' wages. If an employer increases the wages of 50 employees by \$1,000, that will result in a \$50,000 payroll increase that could put the business above the threshold for one year. Members opposite are now paying attention because they are hearing how the scheme will work. Once a business reaches the threshold, payroll tax must be paid on the entire payroll. In one year there may be no liability, but the next year it may be applicable to the entire payroll. The Labor Government's scheme helped small businesses with that transition over five years. That scheme was successful and it helped people.

**Mr Kevin Conolly:** Did you use the scheme?

**Ms JENNY AITCHISON:** This Government's scheme does not work; it is a failure. I will not debate the issue with the member for Riverstone. The Labor Government's scheme allowed businesses to transition slowly to full payment. They could report annually, and they worked with Trade and Investment NSW rather than being left on their own. This scheme is ridiculous. A business might employ someone in a new position and a year later the department must ensure that the new position has been retained. Growing businesses are not static for 12 months. A business owner might have employed more people or changed procedures. This legislation also offers no incentives for businesses to grant workers wage increases if the business is on or near the threshold. Payroll tax assistance is also cumbersome to claim.

Last week a member of the Maitland business community asked the Parliamentary Secretary for the Hunter and Central Coast why the payroll tax details for a business that were prepared by an accountant had been audited over four months. Why was the proprietor dealing with payroll tax issues instead of focusing on the business for four months? Where is the benefit in that for a small business? Dynamic businesses change and go with the flow. If we are to have a scheme, it must be workable. People who have large and very profitable businesses have human resources departments that can process payroll tax liabilities easily, and they have volumes that make the business worthwhile. Small businesses are the engine rooms of this State's economy, and hardworking small business owners are being audited and are getting no help.

If the Government is serious about using this mechanism, it should look at innovative schemes that reward those who expand their businesses into regional areas rather than impose blanket schemes that help only the big operators. Unemployment in the Hunter has doubled since this Government came to office. The Labor Government's scheme was abandoned and this Government is not helping employers to create jobs. Government members speak incessantly about the number of jobs the Government is creating and about being number one. However, it is number one only in creating regional unemployment. Members opposite are full of huff and bluster. The Government might create 500,000 jobs, but it means nothing unless we consider the rate of unemployment. We must examine participation rates. Good workers in our communities are abandoning the search for a job because nothing is being done to help them and there is no incentive for small businesses to employ them.

This legislation is yet another example of this Government's failure to honour its promises. I was ejected from the House earlier today because I was behaving like members opposite and interjecting. I was interjecting because Ministers were gloating about the so-called benefits of the Government's privatisation plans and continuing to ignore their already broken promises about health and transport infrastructure. This bill represents yet more broken promises. Members opposite promised not to truncate the Newcastle rail line, to build a John Hunter-size tertiary hospital, and to retain the existing Maitland Hospital. All those promises have been resoundingly broken. For members opposite to make yet more empty promises about creating jobs simply hurts the unemployed even more. Their talk about having a mandate is offensive to the community. This Government does not understand the meaning of "mandate" or "commitment". It also does not understand small business.

The Labor Opposition's commitments to retaining the Newcastle rail line, and building a new Maitland hospital and a Newcastle convention centre would have created many jobs. This Government has sat on its hands and offered a do-nothing scheme for four years, and the rate of unemployment in the Hunter has doubled. The Government tells us how successful it has been, but it should look at the failure of this scheme and its underutilisation. Small businesses have voted with their feet and ignored the scheme because it is useless. The Government therefore has no mandate to retain it. The Baird Government has made no commitment to reduce unemployment, particularly in rural and regional areas. It should implement a scheme that provides incentives to small businesses to create jobs. Instead, its answer is to sell the infrastructure; it wants to sell off the silver and leave the problem for future generations. This bill is yet another example of this Government's lazy, lazy, lazy approach to stimulating the economy, and it should not be passed.

**Mr KEVIN CONOLLY** (Riverstone) [6.16 p.m.]: I support the Payroll Tax Rebate Scheme (Jobs Action Plan) Amendment (Extension) Bill 2015. After that remarkable performance, the House should be reminded that the Government wants to continue to offer a helping hand to businesses so that they create jobs. The Labor Party does not want that to happen; it wants to stop the Government offering a helping hand to businesses. Members opposite do not want to replace this legislation with anything; they have offered no alternative proposals or commitments. That is what we are talking about. This scheme gives real money and assistance to businesses that increase their workforce. The system cuts in one year and two years down the track if the increase in employment has been maintained. If it has, assistance will be provided. As the Parliamentary Secretary said, this represents real jobs in metropolitan and rural and regional areas.

Members opposite have me puzzled. They clearly do not have their act together. One Opposition speaker told us that not enough businesses will be able to access the scheme and that the threshold is too high, but the member for Maitland has just told us that it will be no help because businesses will suffer bracket creep. They will go through the payroll tax threshold and will be hit with a payroll tax liability. Growing businesses will be the main beneficiaries of this scheme, and that is entirely the point. Small businesses nearing the payroll tax threshold may feel trepidation about expanding, and there are enough risks in business as it is. This legislation is an assurance that the Government will offer small businesses a helping hand in facing the risky proposition of expanding their operations and crossing the payroll tax threshold.

Businesses that are planning to expand and which do not pay payroll tax can be reassured that expansion will no longer involve jumping that hurdle, and they will not face a full payroll tax liability. This scheme will give businesses the opportunity to grow and to consolidate before they face a payroll tax liability. This is a positive plan, a practical and tangible hand up for businesses that want to grow, create jobs and add to the wealth of New South Wales. Labor has not offered any alternative proposal; all we have had from those opposite is empty rhetoric. They do not want to be constructive or to help people in New South Wales to get jobs. They just want to criticise the Government. This is a positive scheme. It is good that the Government is extending the legislation. I commend the bill to the House.

**Mrs TANYA DAVIES** (Mulgoa—Parliamentary Secretary) [6.19 p.m.]: I support the Payroll Tax Rebate Scheme (Jobs Action Plan) Amendment (Extension) Bill 2015. I have been sitting in the Chamber and listening to what should be a debate, but those opposite have made pathetic speeches. Their speeches have revealed how out of touch the Labor Party is with how the economy grows and the responsibility of governments to set effective policy frameworks to encourage economic growth. Those opposite have made statistical claims, but one fact is that the New South Wales unemployment rate was above the national average for 40 months of the final 47 months of Labor Government.

**Mr John Robertson:** Because the mining sector was expanding. Don't twist the statistics. Your jobs growth is pathetic.

**Mrs TANYA DAVIES:** The Labor Government was ineffective. It has a mantra of being the party for the workers but the Labor Government presided over more people being unemployed than people being employed. The Liberal-Nationals Government has driven down unemployment by making the right policy settings. I am immensely proud to be part of a government that is setting the right policy and direction to encourage businesses to employ people to grow the economy. The Brotherhood of St Laurence in Melbourne conducted research titled "Existing but not living: a research project" canvassing the aspirations and views of long-term unemployed Australians. One person interviewed is quoted as saying, "You don't live when you are unemployed. You exist."

The New South Wales Liberal-Nationals Government is tackling this challenge head on with effective policy settings. One such policy that we have discussed is the Jobs Action Plan. This plan has worked so well

that the Government has committed to continuing this policy setting by extending the plan into the future. Those opposite have labelled the plan as ineffective and useless and claimed that no-one is taking it up. How can 101,000 applications to register make the Jobs Action Plan a failure? There is no need to answer that, because the answer would be wrong. This is an outstanding result and I commend the Liberal-Nationals Government for coming up with this policy that encourages small business to take a risk and employ someone.

I thank the small business economic powerhouse of our State for coming with us on the journey of making New South Wales number one again. Small businesses ought to be applauded. I highlight key people in my area who have come with us on the journey to help small businesses through a period of expansion. These people are: Paulette Adams from St Marys Town Centre Management; Gina Field, president of Penrith Valley Chamber of Commerce; John Todd, executive officer, Penrith City and District Business Advisory Centre; Michael Todd who leads the Gen YQ, a network for young professionals aged 18 to 35 years; Gai Hawthorn, chief executive of Penrith CBD Corporation; Harry Hunt, OAM, CLO, JP, president of Liverpool Chamber of Commerce and Industry; and Vince Movizio, president of Fairfield Chamber of Commerce. I thank the Treasurer and the Premier for bringing on this bill and I commend the bill to the House.

**Mr KEVIN HUMPHRIES** (Barwon) [6.23 p.m.]: I also support the Payroll Tax Rebate Scheme (Jobs Action Plan) Amendment (Extension) Bill 2015. There is an old saying that it is better to have loved and lost than never to have loved at all. One of the beauties of payroll tax is that it has sent a very clear and loving message to small businesses across New South Wales, particularly in the regions, that the Liberal-Nationals Government is keen to support small business not just in one term of government but by extending our confidence in the sector to the regions. I for one am interested in encouraging people to relocate to the regions. This legislation is not a one-hit wonder.

Since 2011, this Government has also made the payroll tax threshold far more competitive. In fact, we have raised the threshold so that small businesses are not subject to the tax until they reach this higher threshold, which is now closer to the threshold in Queensland. This has had an impact on where some businesses choose to be located. We have not only raised that threshold to allow businesses in New South Wales to be more competitive but also introduced the Jobs Action Plan, which is working. In remote areas, including my electorate, it takes longer for businesses to make decisions to expand or to relocate.

At least a dozen small businesses, including mining companies in Broken Hill, Cobar and Narrabri, have told me they have taken up the Jobs Action Plan and used the payroll rebate. They were heartened to know the Government was considering extending that plan. Not too many businesses in rural and remote parts of the State, with communities of under 5,000, are payroll liable, and I accept that. However, over the long term, with other programs such as the Regional Industries Investment Fund and the Jobs Action Plan, businesses are acknowledging us as the first Government to put in place a series of long-term measures to attract people to and keep people in small communities.

The Jobs Action Plan has a target of 150,000 jobs, with more than 10,000 of those jobs in the regions. This is commendable and the plan's target will continue to grow. One of the fastest growing groups of small businesses in New South Wales are those relocating from interstate. There is also a lot of excitement about the plan from overseas investors and it is clear that companies are moving back to New South Wales or considering relocation to this State because of this Government's changes to WorkCover, the Jobs Action Plan, payroll rebates and the Regional Industries Investment Fund. It has been said that supporting this legislation is a no-brainer. There should be bipartisan or even unanimous support for this bill. It is good, long-term policy for the State, for the regions and, above all, for small business. I commend the bill to the House.

**Mr JAMIE PARKER** (Balmain) [6.27 p.m.]: I contribute to the debate on the Payroll Tax Rebate Scheme (Jobs Action Plan) Amendment (Extension) Bill 2015. The Greens have thought very seriously about this issue because there are a few principles at stake. First, of course it makes sense to reduce a tax on employment and payroll tax is a negative tax. We know that reducing tax on employment is positive and all governments should aim to reduce distortions in the labour market and ensure employers can take on additional staff.

In 2011, when the original Payroll Tax Rebate Scheme was debated, I gave a detailed speech on the issue and asked several questions. One particular concern The Greens had was the cost, which at the time was expected to be around \$330 million, with the ultimate aim to create 100,000 new jobs. We did not oppose the bill but we raised concerns about what else such a significant amount of money could be spent on to boost jobs. In particular, we know there is a significant multiplier effect to investing in infrastructure and skills development.

On the one hand, we know that the Government has reduced investment in TAFE, for example. Would that money be better spent on skills development to ensure that we can develop skills for future, more productive members of our community, with second-chance education and so on? When it comes to infrastructure, today we have found ourselves strongly supporting the Government's position to ensure that light rail is extended into the central business district, despite the new position that Labor has taken. Despite going to the election in my electorate, in the electorate of Newtown and in other electorates heralding its support for the extension of light rail into the central business district, a few short weeks after the election Labor has completely changed its position.

We are used to Labor jettisoning policies and doing backflips when it is elected to government, but it has been unsuccessful in being elected and it is still dumping policies that are very popular, particularly in my community. Last year the Government introduced the Fresh Start Support amendment to the Act which included a provision to increase the rebate from \$5,000 to \$6,000 for employers who took on employees from industries that had faced mass redundancies or shutdowns—such as the Electrolux plant in the Central West. Labor indicated it would move an amendment to extend the redundancy aspect of this legislation to 2017, which we indicated we would consider supporting. But that bill was left on the *Notice Paper* and eventually lapsed without comment when Parliament was prorogued in September.

In November of the same year, the Government reintroduced the bill with Labor's proposed 2017 time line for redundancy jobs. Again we did not oppose it but noted the low uptake of the scheme and questioned why industry was being given such a boost when TAFE was being gutted. The current bill makes no changes other than to extend the original Act to 30 June 2019. As I stated in my contribution in 2011, we know that around 90 per cent of businesses do not pay payroll tax because they are not large enough. To talk about small business in our community is not really the point here because we know that the vast majority of businesses will not pay this tax.

In the Minister's second reading speech she linked the 188,000 jobs created in New South Wales since 2011 to this initiative, but, as we have heard, only \$93 million has been paid out so far. It is a long way from the \$330 million originally expected and I would like to know why the Government has not been able to expend the full \$330 million but only—although still a significant amount of money—\$93 million. We have looked at the issue and the need in particular for infrastructure. On balance, we believe that the money would be better spent on infrastructure, particularly in western New South Wales and in rural and regional New South Wales where there is a very great need for infrastructure that can deliver significant multiples through its impact and can deliver jobs creation in a range of different areas. I know that time for debate is short. Our comments in 2011 are on the record, as will be my comments here today. I appreciate the opportunity to make a contribution to this bill.

**Ms GLADYS BEREJKLIAN** (Willoughby—Treasurer, and Minister for Industrial Relations) [6.32 p.m.], in reply: I start by acknowledging all the members who have made a contribution to this very important debate on the Payroll Tax Rebate Scheme (Jobs Action Plan) Amendment (Extension) Bill 2015: the member for Tamworth, the member for Maroubra, the member for Kiama, the member for Clarence, the member for Heffron, the member for Epping, the member for Wyong, the member for Northern Tablelands, the member for Maitland, the member for Riverstone, the member for Mulgoa, the member for Barwon and the member for Balmain.

At least the member for Balmain has been consistent in his position. I am completely floored and flabbergasted by the Labor Party's opposition to this critical piece of legislation which supports small business in creating jobs. The last time I looked, the Labor Party had said a lot about creating jobs and supporting jobs. In fact, in their inaugural speeches many new members in this place sitting on the Opposition benches—and some of those speeches were outstanding—spoke about the importance of jobs for their communities. Given that, I am completely floored as to why the Labor Party is not supporting this legislation. It is an extension of an existing policy being a commitment that was made previously by the Government and also a policy that has proved to have created thousands and thousands of jobs in this State—not just in the cities but in the regions.

I am very grateful for the contributions made by many members on this side of the House, because whether they represent a seat in a metropolitan area or a seat in more remote rural and regional communities this is a policy that encourages business to support jobs. The extension of the Jobs Action Plan is a further incentive for those businesses to employ more people. The fact that the Labor Party is not supporting this legislation simply beggars belief. How can Labor say it cares about jobs when it does not even support the extension of an existing policy that will create further incentives for jobs creation in this State? We concur that there is not one policy

initiative that is the be all and end all in jobs creation. But when this policy is factored in with our infrastructure strategy, with our Rebuilding NSW strategy and with a whole host of other things we are doing, it can be seen that we are working hard day and night to look at every opportunity to enable more jobs in New South Wales.

I am extremely disappointed and, frankly, floored that the Labor Party is not going to support this piece of critical legislation. In fact, all of us on this side of the House will continue to remind the Labor Party of its opposition to this legislation. It is a seminal piece of legislation that not only represents our commitment and our desire to create jobs where possible but also demonstrates our commitment to ensuring we will do everything we said we would do. I stress again our absolute disappointment and amazement that the Labor Party will not be supporting this bill. We stress our support for this legislation and call on members of the upper House to support this critical piece of legislation which will ensure the ongoing creation of jobs in critical areas.

I reiterate that the Payroll Tax Rebate Scheme (Jobs Action Plan) Amendment (Extension) Bill 2015 delivers on the Government's election commitment to encourage jobs creation and to further strengthen our economy. It provides an amendment to the Payroll Tax Rebate Scheme to extend the closure date of the Jobs Action Plan by four years. This scheme would have finished on 30 June this year and we want to extend it by another four years. I am particularly disappointed by the shadow Treasurer's reasoning for his opposition to the bill. We ask him: Did this go through the caucus? Was his backbench consulted? Was the frontbench consulted? He said he did not want to be obstructionist, but he was clutching at straws when he was looking for excuses as to why Labor was not supporting this bill. He said that he had some concerns that the Government was not intensifying employment for small firms that do not pay payroll tax. That is simply wrong.

Was he not listening during the election campaign when we said that we would be a government committed to establishing a new \$2,000 small business employment incentive for non-payroll tax paying businesses, which will reward small businesses for every additional employee they take on? I reiterate that since we came to government in March 2011 around 188,000 jobs have been created and that data on the Jobs Action Plan show that up until the end of April 2015 more than 101,000 Jobs Action Plan registrations had been received. That is a statement of fact. In the metropolitan area I noted with interest some of the regions that had recorded some of the largest numbers of registrations. It would be expected obviously that the Sydney and North Sydney local government areas would have a large number of registrations, but for Blacktown to have received 3,297 applications is truly a positive response.

I am pleased to say that out of the top 10 metropolitan local government areas, four are from Western Sydney. When we look at where these applications are coming from we see Blacktown, Parramatta, Auburn and Liverpool were in the top 10 metropolitan local government areas. In the regional areas—I know many members in this place represent regional communities—the top local government areas included places like Lake Macquarie, Maitland, Wagga Wagga and Orange. Again, the plan has assisted in exceeding our target of 100,000 jobs and delivering strong jobs growth to New South Wales. It is due not only to the success of the plan to date but also to the Government's vigilance in creating jobs wherever possible that we bring this bill to this place.

Again I stress that the Labor Party's position on this bill is simply shocking. It has a lot to answer for to the community. Under this scheme, payroll tax-liable employers can continue to apply for a \$5,000 payroll tax rebate for each additional full-time employee, with a pro rata rebate for part-time employees based on the number of hours they work compared to the standard working hours of full-time employees. We are considering part-time as well as full-time employment. Obviously, the fact that we will be paying this rebate in two instalments, with \$2,000 paid on the first anniversary and an additional \$3,000 paid on the second anniversary of the hire of the additional staff, is an incentive not only to create jobs but also to keep those jobs.

The bill recognises the challenging economic environment that many businesses in New South Wales and across the country are operating in, and encourages employers to continue hiring additional employees. The bill demonstrates that the Government remains absolutely committed to making New South Wales the first place to do business and to encouraging employers to expand their operations. It is not too late. I urge Opposition members to reconsider their position on this important legislation. Please consider supporting it because it will make a huge difference to their communities. I commend the bill to the House and thank all members for their contribution to the debate.

**Question—That this bill be now read a second time—put and resolved in the affirmative.**

**Motion agreed to.**

**Bill read a second time.**

### Third Reading

#### Motion by Ms Gladys Berejiklian agreed to:

That this bill be now read a third time.

**Bill read a third time and transmitted to the Legislative Council with a message seeking its concurrence in the bill.**

**Pursuant to sessional order private members' statements proceeded with.**

### PRIVATE MEMBERS' STATEMENTS

#### MARRICKVILLE REMEMBERS 2015

**Ms JO HAYLEN** (Summer Hill) [6.41 p.m.]: Recent Anzac Day commemorations marked the centenary of the Gallipoli landings across the length and breadth of the State. For all of us these events were an opportunity to take pause from our busy lives and to consider the values that Anzac Day has come to represent: sacrifice, valour and mateship, the great spirit of putting others first, and looking out for one another. In the Summer Hill electorate Anzac commemorations took many forms: the unveiling of the refurbished Haberfield Roll of Honour, the Tales from the Past event at the Addison Road Community Centre; moving services in Ashfield and Petersham; and the remarkable Marrickville Remembers events in the heart of Marrickville.

Marrickville Remembers was a truly community-led experience, with an expansive program of commemorative events rivalling any other. It was on a scale fitting our task: to pay tribute to the 6,500 Marrickville men who enlisted in the First World War, which was one-tenth of the area's population at the time, and to remember the 670 of them who did not return home to their family, friends and community. Marrickville Remembers included a series of lectures and films, the acclaimed Marrickville Soldiers Exhibition, and a Commemorative March culminating in an Anzac service and civic reception in the newly refurbished forecourt of Marrickville Town Hall. More than 1,000 participants marched down Marrickville Road cheered on by thousands of community members. They came from our RSL sub-branches, local schools, operational military corps, bands, emergency services and community groups, and joined vintage vehicles and re-enactment troupes—there was even a caravan of camels.

The parade proudly reflected the rich multiculturalism of Marrickville. The Marching Koalas and the Clan McLeod Pipe Band, marched alongside the Athena School, Turkish Women's Community Group and the Rallis School of Greek Dance, to name but a few. Students from Marrickville, Petersham, Stanmore and St Peters public schools wore elaborate paper costumes designed by Julie Lynch and based on the Lighthorse Brigade, Flying Corps, Camel Corps, Navy and Red Cross—and they looked fantastic. The march finished at Town Hall, where the crowds gathered for the much-anticipated unveiling of the new Winged Victory statue. The story of Marrickville's Winged Victory is a long and enchanting one, full of personalities and politics—but now one that has a happy ending.

Since 2008 the pillar atop the World War I memorial outside the Town Hall remained sadly bare—a Marrickville icon was missing. The original sculpture, created by Gilbert Dobel, was inspired by Greek mythology—a figure of Nike, the goddess of victory—and was unveiled before a crowd of 15,000 on 24 May 1919. She is the largest known bronze casting in Australia, standing over four metres tall, and is one of the most significant World War I monuments. She stood majestically, holding a laurel wreath of peace in one hand and a raised sword in the other. But lightning and storm damage saw her removed in 1962. Placed in council storage, her lower half was later discarded. It was not until the bicentennial celebrations that funding was found to restore and return her to her rightful position atop the pillar.

Yet after 20 years in situ again the Winged Victory was taken down due to her fragile state. She was deemed no longer suitable for outdoor display. Upon becoming Mayor of Marrickville, one of the first things I did was to visit her in the council depot, where she stood sadly next to the dog cages. Fortunately, the Anzac Centenary council presented Marrickville Council with an opportunity to find her a new home and also reinstate our community icon. The Australian War Memorial was searching for a centrepiece for one of the final rooms in its new World War I galleries and approached the council to transfer ownership of the sculpture to it. The

decision was an emotional one for the people of Marrickville but we can now be proud that our original Winged Victory takes pride of place in the War Memorial in Canberra, testament to our place in Australian history, and it will be seen by thousands of schoolchildren each and every year.

As mayor I had the privilege of commissioning a new sculpture for Marrickville. Artists Peter Corlett and Darien Pullen envisioned a new Winged Victory, cast in clay and then bronze—a breathtaking work of art that not only honours the original but also evokes a more peaceful future. A few days before the official unveiling of the new statue a small crowd gathered to see her winched into place by nervous contractors. Marrickvillians set down their shopping bags, cars pulled to the side of the road, and all eyes turned upwards as the statue swung across the sky and eventually touched down into place. At the official unveiling on Sunday 19 April it was hard not to feel that you were a part of history. She is spectacular. Afterwards the crowds enjoyed morning tea, including 15,000 Anzac biscuits, and sipped our very own Winged Victory beer made by Young Henrys. I congratulate Marrickville Council and its partners and thank them for coordinating Marrickville Remembers 2015.

### COAL SEAM GAS

**Mr STEPHEN BROMHEAD** (Myall Lakes) [6.46 p.m.]: I inform the House that the electorate of Myall Lakes is coal seam gas free. Coal seam gas has been banned in the electorate of Myall Lakes. There is no coal seam gas; it has been banned and cancelled. There will never be coal seam gas in the electorate of Myall Lakes and there will be no fracking or coal seam gas produced in Myall Lakes. It is done, finished and gone in the electorate of Myall Lakes. During the past four years I have always said that I am opposed to coal seam gas production if it pollutes the environment, water or prime agricultural land. At the same time, I have fought to secure this outcome for the people of Myall Lakes. I am pleased to say that the New South Wales Government has listened, and under the coal seam gas plan for New South Wales it has purchased the petroleum exploration licence [PEL] that covers the electorate of Myall Lakes.

Earlier this year the Government announced that PEL 437 and PEL 476 had been bought back from a company called Pangaea Resources. PEL 476 extended over more than 1,009,357 hectares, which covered the whole of Myall Lakes and reached into other areas. That PEL was granted for about \$1,000 without any restrictions or requirements. It was simply sold, like more than 50 per cent of New South Wales, by the former Labor Government. The people of Myall Lakes should understand that the current Government has not granted one coal seam gas licence. Every single licence in New South Wales was granted by the former Labor Government in partnership with The Greens and their Independent supporters, assisted by the then Federal Labor Government. Once again, I say to the people of Myall Lakes, there is no coal seam gas in Myall Lakes, there never will be coal seam gas, and there will be no fracking and no danger to our land, environment or water.

There is concern about coal seam gas exploration in areas outside the Myall Lakes electorate. But I am not the member for New South Wales; I am the member for Myall Lakes. As such, my responsibility and duty are to look after the interests of the people of Myall Lakes and to fight for them. That is what I have done and we have achieved this result for Myall Lakes. Let us consider what happened in other areas where concerns have been expressed. As I said, prior to the 2011 State election the Labor Government, with the support of The Greens and Independents, sold petroleum exploration licences covering more than 50 per cent of New South Wales. Under our NSW Gas Plan the Coalition Government bought back many of those licences so that now they cover only about 11 per cent of New South Wales.

In a sense, New South Wales was sold out by Labor and its friends The Greens and the Independents. The petroleum exploration licence at Gloucester was granted prior to the 2011 election. The production licence was approved while Parliament was prorogued in February 2011 and the development application was approved by the previous Labor-Greens-Independents alliance prior to the 2011 election. It received Federal environmental approval from Federal Labor Government Minister Tony Burke, with the support of The Greens and Rob Oakeshott, the then Independent member for Lyne—an area that encompasses Gloucester. All those things were done by the former Labor Government, with the assistance of The Greens and the Independent member. This Government has merely tried to clean up their mess. They gave legal rights to AGL, which cannot be extinguished with a wave of a hand. AGL has a legal right that can be exercised in a court of law.

Even though AGL's licence was approved by Labor without restrictions, requirements, regulation or controls, this Government has placed a moratorium on fracking, banned BTEX chemicals and sedimentation ponds and introduced 27 other requirements under its strategic land use policy. The Government also engaged

the NSW Chief Scientist and Engineer to chair an independent panel of scientists to examine the coal seam gas industry in New South Wales. That report, which was handed down last year, made 23 recommendations and the Government has adopted all of them. Basically, the report found that coal seam gas exploration is safe in Gloucester if AGL complies with the regulations—and the Government will ensure that AGL does comply. The Government is monitoring AGL's activities and indeed suspended AGL's licence when it was necessary to do so. I reiterate that there is no coal seam gas in Myall Lakes; it is banned. There is no coal seam gas and there is no fracking. We are protecting our environment.

### **ROTARY PENRITH POLICE OFFICER OF THE YEAR**

**Mrs TANYA DAVIES** (Mulgoa—Parliamentary Secretary) [6.51 p.m.]: Once again I was honoured to attend and support the annual Rotary Penrith Police Officer of the Year awards held on 20 May 2015 at Penrith rugby league club. The cooperation and professionalism of the Penrith Valley Rotary Club, Penrith Rotary Club and Nepean Rotary Club were on display throughout this event. The members and presidents of the three Rotary clubs ought to feel especially proud of their dedicated efforts to host an important and successful evening honouring and thanking our police men and women. This year eight finalists were honoured for their outstanding dedication to serving the people of New South Wales and making our community safer. They included: Senior Constable Peter Ciosmak, Sergeant Michael Cotten, Constable Guy Hellard, Constable Amanda Jones, Senior Constable Norman Patterson, General Administrative Support Officer Caterina Jones, Senior Constable Stephen Kapitanow and Constable Reece Montgomerie.

I congratulate Sergeant Michael "Mick" Cotten, who was named the 2014 Penrith Police Officer of the Year. Mick is a general duties officer who joined the NSW Police Force in 1993. He was nominated for this award for his outstanding ability to develop others. He has developed his own excellent tracking system for the people he oversees to ensure that he provides the best possible feedback on their performance. He has performed consistently highly in his field without fanfare over all these years. Sergeant Michael Cotten is a worthy recipient—as was evident from the loud cheer that erupted in the room when his name was announced.

The Vocational Excellence Award 2014 was awarded to General Administrative Support Officer Caterina Jones. Again, when Caterina's name was announced the room erupted in applause as her unflappable and consistently high standard of administrative support since commencing work with the NSW Police Force in 1980 is well known. To demonstrate her superb high standard of performance, she scored a 98 per cent rating from a mystery person who attended the front counter of Penrith Local Area Command. The evening was a resounding success, and I particularly appreciated the presence of other members of Parliament who also recognised the importance of this night. I acknowledge the presence of the Hon. Stuart Ayres, member for Penrith and Minister for Trade, Tourism and Major Events, and Minister for Sport; Fiona Scott, Federal member for Lindsay; and Senator the Hon. Marise Payne at this important event.

The night was an opportunity to highlight the outstanding work that is delivered quietly by members of the NSW Police Force. I take this opportunity to highlight some of the stories that led to these men and women being nominated. Senior Constable Peter Ciosmak has an exceptionally high standard of record keeping such that the domestic violence liaison officer keeps samples of his apprehended violence orders and report documentation to use as examples for younger officers. He shows respect to everyone—victims, witnesses and offenders. Senior officers can tell which younger officers have been mentored by Senior Constable Peter Ciosmak as his influence in the areas of modesty, reliability and honesty is visible.

Constable Guy Hollard was nominated because he is consistently at work early and reports on his statistics reveal that he has an exceptionally high level of output. He has the nickname "Hunter" because when the work dries up he goes hunting for more. Finally, I was especially proud to hear about the outstanding work of Constable Amanda Jones. She has a "can-do" attitude and appears at this stage destined for an investigative career. The situation leading to her nomination for this award arose when a police prosecutor challenged her case due to a DNA evidence precedent. Constable Jones did not shy away and reluctantly accept the police prosecutor's decision; instead, she took on the challenge, educated herself more broadly and gathered more evidence to present to the same police prosecutor.

This work and detailed investigation not only led to the police prosecutor changing his mind on the case, but also led to the police prosecutor taking on the case and effectively prosecuting the offender to a successful outcome—an impressive result of which I am immensely proud. I thank all members of the NSW Police Force for their commitment to professionalism, care, compassion and justice in and throughout our community. Also I take this opportunity to express my gratitude to their family members and support

networks—whether it be mothers, fathers, sisters, brothers, sons or daughters—for enabling them to go out each day and be that thin blue line that protects the community from those who would do us harm. I thank them for their dedication.

### THIRROUL MEN'S SHED

**Mr RYAN PARK** (Keira) [6.56 p.m.]: It is good to see you in the chair, Madam Acting-Speaker. I pay tribute to the work of Thirroul Men's Shed. Many members are fortunate to have at least one men's shed in their electorate. I am very fortunate to have several: Corrimal men's shed, Woonona men's shed and Thirroul Men's Shed. Balgownie is also in the process of establishing a men's shed. Tonight I shall focus on Thirroul Men's Shed. For the past few years we have fought to find a permanent home at Thirroul for the men's shed. We considered a number of options and the group is temporarily located at the back of a private residence; the gentleman has been very kind to allow the group to work at the back of his property. Through me, the group has made representations to and sought information from Transport for NSW. It is seeking facilities located along the rail corridor. However, I have been disappointed at the lack of support from Transport for NSW and the rail agencies—and I assume Lee Evans, who represents the neighbouring electorate—for finding a permanent home for Thirroul Men's Shed.

The group wishes to use the old electrical workshop site, which has not been used for a number of years and that should be used for things such as men's sheds—if the Government needs the site at a later time the men's shed could be relocated. In the past I have stated that members should ensure that government infrastructure is used productively by the community. Therefore, we must ensure that the rail agencies, and particularly Transport for NSW and Sydney Trains, understand the importance of Thirroul Men's Shed and liaise about the possibility of locating the men's shed on this land. The land—although not this particular site—will largely be used as a commuter car park. I urge the Minister for Transport and Infrastructure and the department to meet with men's shed representatives and me and enter into a productive conversation about how we can find it a permanent home.

Men's sheds do wonderful work—I do not have to tell members that; they have seen it first-hand—for a variety of community organisations. But, more importantly, they provide a place for men to have a chat, to socialise and to get concerns off their chest in an environment in which that we blokes feel comfortable. I have worked closely with a number of men's sheds in my community and I have become a big fan of their work, which goes far beyond what they build. They are more than what they build; they are a strong and important part of our community. But they need our help. I have spent a lot of time making representations and seeking meetings with Transport for NSW representatives to discuss this matter. A senior officer must meet with men's shed representatives and look at the old electrical workshop, which they consider to be appropriate for their purposes.

I will continue to raise the issue in this place. It is a classic case of how all members, regardless of our political persuasions, must ensure that the bureaucracy reflects the expectations of the community. If government land or property is not being used by a particular agency other groups should be able to access it because at the end of the day it is funded by the taxpayers. I particularly thank Bob Ascoli for his leadership, encouragement and dedication to this cause. The Minister and the transport agencies can rest assured that they will continue to hear from me about the importance of finding a permanent home for the Thirroul Men's Shed.

### PRISON POPULATION

**Mr ALEX GREENWICH** (Sydney) [7.01 p.m.]: Our rising prison population has economic and social costs for the community and for prisoners. My constituents want government to focus on early intervention, rehabilitation and restoration. The New South Wales prison population has soared to an historic 11,100 inmates, which is about three times the rate in Scandinavian countries. Over the past 10 years the number of adults imprisoned has increased by 50 per cent, and is expected to keep growing under new bail laws. Our prison capacity is 10,800 and a *Sydney Morning Herald* article of 3 February reported that inmates are detained at police stations and courthouses because there are not enough jail cells. Aboriginal and Torres Strait Islander people constitute 2 per cent of the population but nearly a quarter of all inmates, and since 1989 the Indigenous imprisonment rate has grown 12 times faster than for other sectors of the population.

Women's imprisonment rates have risen by nearly half since 2001 compared with less than 19 per cent for men, with women being imprisoned at four times the rate they were 20 years ago. Research has identified no link between high incarceration rates and reduced crime. Reducing crime requires addressing its socio-economic

causes including disadvantage, poverty, poor education, drugs and alcohol, mental health and housing. In New South Wales 68 per cent of prisoners reoffend, reinforcing that imprisonment does little to deter future offending and that incarceration can increase reoffending. Mental illness, drug and alcohol problems, and trauma such as sexual assault are higher among prisoners, especially women. Prisoners are more likely to have lower literacy and less education, and higher levels of cognitive impairment. Prisons are overcrowded and risk human rights breaches; rehabilitation and education are limited.

According to the World Health Organization, violence, aggression, self-harm and suicide levels rise in prisons due to the "disciplinary regime, lack of choice about activities and the people that prisoners spend time with, and limited communications with family, especially children, and friends." Many prisoners who have a mental illness do not receive treatment and their behaviour more often results in solitary confinement, thereby worsening symptoms. Around half of prisoners faced drug and alcohol charges but prison drug programs are limited and inadequate. There are no programs targeting female offenders despite the greater proportion of women in prison who use drugs. Drug courts have been shown to be effective and we now have three of them, but more drug rehabilitation programs are vital.

The United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders, known as the Bangkok Rules, encourage alternatives to imprisoning women. Female prisoners have often experienced sexual, physical and psychological abuse but only two of the seven New South Wales women's prisons offer professional sexual assault programs. Standard procedures such as strip searches can be particularly traumatic for women prisoners who have experienced sexual abuse and searches on women should be restricted, with alternative methods used to prevent contraband. Nearly three-quarters of women in prison are mothers, with 62 per cent of them the sole caregiver and the majority of children are aged under six. Mothers and children must have regular contact but the remoteness of women's prisons prevents this.

Today the Government announced that it might relocate Long Bay Correctional Centre—this could push another facility to the fringes, reducing accessibility for more prisoners. Loss of family contact punishes women beyond sentences and has enduring effects on children, including their being at risk of State care. Specialist services are needed to help the children of prisoners. I understand that there are few police protocols for arresting someone with dependent children and some prisons control family visits as a form of discipline. Women prisoners are less likely to be employed before their imprisonment or to have jobs organised on release, and have less access to rehabilitation, education, training and job programs. Thirty per cent of women in custody are on remand with no access to programs. Employment is a strong predictor of recidivism, but there is little support. Instead of incentives for education, prisoners earn more from working, which undermines their future.

Homelessness and mental health problems are linked with offending and reoffending. The Government must increase social housing stock and provide post-release supported accommodation. Tough bail and mandatory sentencing laws remove consideration of individual circumstances and result in higher incarceration rates without deterring crime, especially for first offences. Governments must partner with the non-government and business sectors. We should help prisoners establish new skills in prison that give them opportunities to treat drug problems and mental illness, and to move away from a prison career on release. We must expand and resource prevention, early intervention, diversion and rehabilitation programs, and help integrate offenders back into their families and communities and enable them to maintain their homes and get work. Evidence-based approaches such as the Magistrates Early Referral Into Treatment program and drug courts must be expanded, and we must trial innovation and test new approaches to better spend the money and improve outcomes for offenders and the community.

**Private members' statements concluded.**

**Pursuant to sessional order matter of public importance proceeded with.**

## **NATIONAL SORRY DAY**

### **Matter of Public Importance**

**Mr STEPHEN BROMHEAD** (Myall Lakes) [7.07 p.m.]: I begin by acknowledging that we are meeting on the traditional land of the Gadigal people of the Eora nation. I pay my respect to the elders, both past and present. Today we are commemorating the stolen generations of Aboriginal and Torres Strait Islander children who were forcibly removed from their families because of successive government practices. Twenty-seven years ago the first National Sorry Day was commemorated, and Aboriginal people affected by past government policies shared their own stories and experiences.

National Sorry Day was established to commemorate the first anniversary of the release of the Bringing Them Home report. Bringing Them Home exposed the extent of the forced removal policies and the effects that these policies have had on Aboriginal men and women, their families and communities. Many of them, I might add, lived in my electorate of Myall Lakes. Today we are reminded of the strength shown by members of the stolen generations and their families, and National Sorry Day is an opportunity to acknowledge the impact of the policies of forcible removal on Aboriginal people. In 1997 New South Wales was the first government in Australia to apologise to the stolen generations. In that year, the New South Wales Parliament apologised:

... unreservedly to the Aboriginal people of Australia for the systematic separation of generations of Aboriginal children from their parents, families and communities.

The Federal Parliament followed in 2008, apologising for the laws and policies of successive governments, and especially for:

... the removal of Aboriginal and Torres Strait Islander children from their families, their communities and their country.

These apologies were incredibly important, and days like today are also part of the healing journey. Today, we will hear about the strengths of Aboriginal communities and how we can all be a part of healing and wellbeing. The strengths of Aboriginal communities are at the heart of OCHRE, the New South Wales Government's plan for Aboriginal affairs. OCHRE stands for Opportunity, Choice, Healing, Responsibility and Empowerment; it is changing the way the New South Wales Government approaches important issues in partnership with Aboriginal people. The New South Wales Government is committed to strengthening its relationship with Aboriginal communities to achieve improvements in Aboriginal peoples' social, economic, cultural and emotional wellbeing.

In December 2014, the Premier demonstrated this State's leadership on constitutional recognition of Indigenous Australians, and committed to working with the Australian Government on a referendum proposal that the majority of New South Wales residents are likely to support. New South Wales is the first State in Australia to expressly recognise trauma and incorporate healing into its Aboriginal affairs policy. OCHRE acknowledges that past government policies and practices impacted on Aboriginal people in ways that disconnected people from their culture and traumatised individuals, families and communities. Healing is key to rebuilding the identity and culture that so many were separated from. It addresses a range of economic, emotional, cultural and spiritual dimensions.

The healing process needs to address concerns at the individual, family and community levels—and this will take time. OCHRE approaches this issue by recognising that healing and loss are real, significant and ongoing issues for communities. OCHRE commits the New South Wales Government to ongoing changes to its relationship with Aboriginal communities to achieve improvements to Aboriginal people's wellbeing. We know that treating the symptoms of trauma alone will not heal communities. So rather than proposing new programs to treat symptoms, OCHRE aims to better understand trauma and address its underlying causes. Last year the New South Wales Government and the Aboriginal and Torres Strait Islander Healing Foundation held the Mapu Yaan Gurri Mapu Marrunggirr—Healing Our Way Forum.

The forum brought together Aboriginal leaders and community members, policymakers and practitioners from across New South Wales. More than 200 delegates attended to share experiences and gain an understanding of the impacts of trauma and loss in Aboriginal communities—and the participants also shared inspiring stories of successful healing and wellbeing initiatives currently occurring within communities. The healing forum was the first step towards understanding an appropriate role for government in healing. We will continue this conversation at regional and local levels. Over the next year the New South Wales Government will work with interested Aboriginal communities to hold local or regional healing forums. These forums will develop a better understanding of healing and identify priorities, including how existing government services can better support healing outcomes.

**Ms LINDA BURNEY** (Canterbury) [7.12 p.m.]: I well remember this day in 1997 at the Melbourne Reconciliation Convention when Sir Ronald Wilson and Michael Dodson released the Bringing Them Home report. I was one of those in the audience that day. I had been very aware of the commission's work over the preceding years; but to hear on this day in 1997 of the actual release of that report is something astounding for our nation. It drew a line in the sand so that no-one in this country could ever say again, "We did not know." The report made it clear that we all knew. I was also very privileged to be present in February 2008, when Kevin Rudd, then Prime Minister, in the first act of a Labor Government under Kevin Rudd's prime ministership, made that enormous apology to the stolen generations. He said:

There comes a time in the history of nations when their peoples must become fully reconciled to their past if they are to go forward with confidence to embrace their future.

I am extremely fortunate that I was at both those events as well as many other events. The removal of children and National Sorry Day is not academic for me. Tomorrow, 27 May, we commence Reconciliation Week. Of course, 27 May is the anniversary of the 1967 referendum that finally gave my people the right to be counted as citizens in this country. Those things are very real for me. Today, as we commemorate National Sorry Day, we think of the appalling circumstances inflicted by governments of this State, including in this Chamber, where decisions were made between 1909 and 1969 that Aboriginal children would be removed because of their aboriginality. That is what happened. From the Bringing Them Home report we find that between one in three and one in 10 Aboriginal children of this era were removed from their families. Many of my own family suffered this fate. I remember a quote from the evidence given to the Bringing Them Home commission from a woman removed and placed at Parramatta Girls Home. She said:

The biggest hurt, I think, was having my mum chase the welfare car – I'll always remember it – we were looking out the window and mum was running behind us and singing out for us. They locked us in the police cell up here and mum was walking up and down outside the police station and crying and screaming out for us. There were 10 of us.

Those 10 children were some of the tens of thousands of children right across this country who were removed under misguided government policies, and the policies of churches and other welfare agencies. That is why it is so important that this House reminds itself what National Sorry Day is about. It is no accident that National Sorry Day falls before the beginning of National Reconciliation Week. Tomorrow, National Reconciliation Week will be a chance to redouble our efforts to achieve recognition for Aboriginal people in our Constitution. Of course, that will face us all over the next few years, as lawmakers and as leaders within our community, as we lead up to the referendum on constitutional reform, to finally see our founding documents, the documents that set up the way in which governments work both at national and State levels to recognise, as Tony Abbott said—probably the only thing on which I agreed with Tony Abbott—that our founding documents are unfinished. That is very true.

With the thoughts that we have had expressed tonight in this matter of public importance, let us not just look back to the past but cast our minds forward to the challenge we have as a nation, that is, the lead-up to the referendum—hopefully, on tomorrow's date in 2017—and where we will be as a nation, and finally telling the truth in our founding documents by recognising First Peoples in the Constitution of Australia.

**Ms MELANIE GIBBONS** (Holsworthy) [7.17 p.m.]: I thank the member for Myall Lakes for raising this important topic in the Chamber. I also thank the member for Canterbury for sharing her personal experiences, as I think that is incredibly important. I pay my respects to the Gadigal people of the Eora nation, whose land we stand upon today. I pay my respect to elders, both past and present. National Sorry Day provides the opportunity for all Australians to be involved in activities to acknowledge the impact of the policies of forcible removal on Australia's Indigenous populations, and then later on to celebrate the beginning of our new understanding.

I am proud that the New South Wales Parliament led the way forward by being the first Parliament to apologise for the forced separation of Aboriginal children from their parents on the basis of race. Sorry Day is now commemorated nationally, with thousands of Australians from all walks of life participating in memorial services, commemorative meetings, survival celebrations and community gatherings to honour the stolen generations. I know that Sorry Day is marked by Liverpool council as part of its Reconciliation Week program. This morning a remembrance event was held at the Liverpool Regional Museum, where Liverpool's local history is maintained and shared. The Holsworthy electorate covers the land of three of our original inhabitants: the Darug, the Gandangara and Tharawal Aboriginal people. It is an incredibly special place as it is home to a rich Aboriginal history.

We have been able to protect and preserve artwork, archaeological sites, scarred trees and artefacts found within the area. More than 500 significant Aboriginal sites have been found within the restricted access areas of the Australian Army firing range at Holsworthy—an incredible array of drawings of wombats, macropods, fish, eels, turtles, bats, emus, birds, lizards and other animals have been recorded. I am sure that number will continue to rise as more drawings are discovered in ongoing field surveys. I am grateful that these special places have survived and we will always strive to protect them. They are incredibly important.

I am proud that the New South Wales Parliament continues to lead the way in this area. New South Wales is the first State in Australia to incorporate healing into its Aboriginal affairs policy. It shows that we understand the sensitivities around this topic and the need for thoughtful and considered discussion. As the member for Myall Lakes mentioned, the Government's plan for Aboriginal affairs, OCHRE, acknowledges past government policies and practices that impacted on Aboriginal people in ways that disconnected people from

their culture and traumatised families, individuals and communities—a long-lasting trauma that is still evident today. We are still finding ways to try to rectify in some way something that can never be rectified for these people. While we cannot ignore what happened in the past, we can learn and grow from these experiences and work towards a strong and proud future for our Aboriginal communities. Sorry Day is an important day to acknowledge and reflect. I thank the House for the opportunity to speak on this topic.

**Mr STEPHEN BROMHEAD** (Myall Lakes) [7.20 p.m.], in reply: I thank the member for Canterbury and the member for Holsworthy for their contributions to this matter of public importance commemorating this important day. It is an extremely important day in my electorate. I pay my respects to the elders of my local area, the Biripi and Worimi people. Earlier this year I took part in a ceremony in which a number of people who were victims of the removal policy, or who were related to someone who had been such a victim, spoke of the impact of that policy on their families. I know that many horrendous practices occurred. For example, Aboriginal people were not allowed to cross the bridge into Taree after a certain time—if they were found in Taree the police would round them up and take them back across the bridge. Aboriginal people were not allowed to sit where they wanted in the theatre; they had to go through a door at the front and sit at the front.

My wife was raised in Nambucca Heads and I know from her that things were the same there and at Macksville, further up the coast. As the member for Canterbury said, Aboriginal people were not allowed to vote for many years. I went to high school with a couple of Aboriginal guys. I played rugby with them. I was in class with them. We went out together. We drank together. We played up together. I never knew—I had absolutely no idea—there was a problem until I moved to the country. Then my eyes were opened. This is an extremely important matter. The mere fact that we are talking about this today in the oldest and most important Parliament in Australia, at least as far as I am concerned, is a great thing. Hopefully the message will continue to be heard throughout the community that the leaders of this State believe it is important and so should everybody else. I thank everybody who contributed to this discussion.

**Discussion concluded.**

**The House adjourned, pursuant to standing and sessional orders, at 7.23 p.m. until  
Wednesday 27 May 2015 at 10.00 a.m.**

---